

THE *Th: Statton*

Right of Tythes

ASSERTED & PROVED,

F R O M

*Divine Institution, Primitive Practice,
Voluntary Donations, and Positive Laws.*

W I T H

A JUST VINDICATION

OF THAT

SACRED MAINTENANCE

From the Cavils of

THOMAS ELWOOD,

In his Pretended Answer to the

FRIENDLY CONFERENCE.

L O N D O N,

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To the Worthy

A U T H O R

OF THE

Friendly Conference.

SIR,

IF I had not perused your Adversaries Book, I should have thought it impossible for the most implacable Malice to have so basely misrepresented the Pious Design and Modest Expressions of your Friendly Conference. But now I see that Quakers, as well as Jesuits, can make use of Equivocation and positive Untruths, when they dispute onely to uphold a Faction.

B

His

His mangling your Sentences, and mistaking your Sense ; his forcing of Consequences from your misconstrued Words, and taking his own wild Suppositions for acknowledged Truths ; are so obvious to an observing Reader, that the Man is generally believed to have more of Confidence and crafty Wit, than either of solid Learning, or sincere Honesty. And though in a Letter of his to a Quaker at York, he brags that he hath shewed some little Learning in this Piece ; I dare affirm, he hath but little to shew ; being onely happy in this, that he writes to please an illiterate Sect. He may gull his unlearned Quakers into the belief that he hath read all those Fathers whose Names he cites ; but the Priests (whom he reproaches) are wise enough

enough to discover; he gleaned his
 Quotations up at the second hand,
 out of Fisher against Bishop Gau-
 den, and some other obscure Eng-
 lish Writers: which he hath also
 done with so little skill, that when
 the Printer in Fisher had mistaken
 Fimicus for Firmicus, this poor
 Retailer calls him Fimicus also,
 pag. 115. And what he read in
 the same Fisher of one Basil, his
 gross ignorance applies to Basil the
 Great, involving himself thereby
 in the absurdity of asserting this
 monstrous and ridiculous untruth,
 That Basil the Great refused to
 swear at a Council, which was
 called above threescore years af-
 ter he was dead, pag. 165. But I
 will not anticipate your discoveries
 of his Ignorance by any more In-
 stances, because I doubt not but

you will sufficiently convince the world, that there is no reason why T.Elwood should pass for a Scholar among his own Party, but onely because (as himself saith, p.355.)
Afinus Afino, Sus sui pulcher.
And when you have pulled off his Vizard, his very Friends doubtless will begin to blush, that they have adored so mean a Creature, while he was covered with a Lions skin. And I hope the discovery may tend to reduce them to the Protestant Church, where they will find more ingenuous, more honest, and more able Guides. I confess I once thought the justest return to his Ignorance and Malice, his unjust accusations and notorious Falacies, was to answer them with silence: But when I consider how easily so plausible a Discourse
might

might seduce some well-meaning Men out of the right way, or harden them in the wrong, I judge it necessary to lay aside all consideration of the meanness of the Adversary; and will not onely encourage you to publish the Answer which I hear you have prepared against this bold Antagonist, but shall venture to cast in my Symbol also, upon his last Chapter of Tythes. Not that I delight to put my Sickle into anothers Harvest, nor that I esteem you will need any Second against so easie and obnoxious an Opponent: Your own Skill is so great, your Cause so good, and your fair Advantages against this Man are so very many; that I make no doubt but you have already prepared a solid and judicious Confutation of all his Pretences, as

well in this, as the other Chapters. Yet I deem it not unfit to add these Papers, for the following Reasons.

First, Because I think this Subject of Tythes deserves a fuller and more particular Consideration, than the brevity of your general Answer will allow.

Secondly, Because the Argument of this Chapter is T. E's main device to alienate Mens minds from the Church of England, and so to heighten our unfortunate Divisions; wherein therefore he ought to be prevented by all just means.

Thirdly, The obstinacy which the unhappy Quakers contract from such false Insinuations as these of T. E. in this Case of Tythes, exposes them to more Sufferings than all their other Errors:

So

So that in pity to these ill-instructed Persons, I would attempt their full satisfaction in this matter.

Lastly, I think it not inconvenient to try whether it be not possible, by variety of Methods and Arguments, for us both to advance the same Charitable End, viz. to rescue all mistaken Dissenters from their Prejudices against so pious a Donation, for so necessary an End.

These were my Motives to this Undertaking. And the Method by which I have proceeded therein, is this.

First, I have deduced the History of Tythes through Three eminent Periods of Time, viz. Before the Law, Under the Law, and The Times of the Gospel: wherein I have made it evident, That Tythes were paid, among

the Patriarchs by Revelation ; among the Gentiles by Tradition, and the Light of Nature ; among the Jews by a written Command from God the Father ; among the Primitive Christians by the Establishment of Christ and his Apostles. I have shewed also, That the most Ancient Fathers assert them to be Due to Christian Ministers : That many Councils do suppose them, and others enjoyn them to be Paid : and, That the Laws of divers Christian Princes did of old Confirm them.

Secondly, I have vindicated the Donations and Confirmations of Tythes in this Kingdom ; proving that the Donors of them (our pious Saxon Ancestors) were neither Papists, nor Idolaters ; but that they were Given long before

fore Popery came in, Confirmed by divers Princes and Parliaments in every Age, and secured by good Laws after Popery was cast out: So that they were as freely and rightly Granted, as frequently and fully Confirmed, and have been as long and as quietly Enjoyed, as any Possessions in the whole Nation.

Thirdly, I have considered all the particular Objections urged by T. E. against the Reasonableness and Lawfulness of Tythes; and have made it appear, that he hath blasphemed Almighty God, reviled our Law-givers, perverted our Laws, slandered the whole Nation, and contradicted himself; and that he is mistaken in Scripture, History, Matter of Fact, and every thing he meddles with.

with. So far is he from proving Tythes to be Jewish or Popish, unreasonable or ridiculous, a horrible Oppression or a foul Abuse, as he insolently brags; that he hath proved nothing but his own Ignorance and Dishonesty. The serious consideration of which Particulars, may convince all that are not blinded with wilful prejudice, That Tythes are a pious, just, and reasonable Payment, which were Religiously settled upon, are Rightfully to be claimed by, and ought Conscienciously to be paid unto the Ministers of the Gospel. But I will not detain you longer in this general Account, nor divert you from the perusal of the Observations themselves, where all these Things are more fully made out.

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THE
RIGHT
OF
TYTHES
Asserted & Proved.

§. I. **W**HEN I first cast my
eyes upon *Thomas*
Elwood's Chapter
concerning *Tythes*, I could not but
take notice, that the Subject did so
raise his Passion, that he throws off
the usual Formality of that Patience
and Meekness which those of his
Party generally pretend to, and flies
out into ill Language at the entrance
into his Discourse upon them: for
he

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he calls them, "*The Priests Delilah,*
"the very Darling and Minion of the
"Clergy. Now since Railing is not Reasoning, I will not meddle with his Scurrility, but rather inquire into the Causes why he and his Party are so bitter against *Tythes*. The ruder sort (it may be) are acted by meer Covetousness, pretending Conscience to save their Purfes, supposing this kind of Godliness is great Gain: But *T. E.* and the more Politick Managers of this Sect, have higher Designs: And as King *Philip* of *Macedon*, perceiving the *Athenian* Orators obstructed his Projects to get the Dominion over that City, perswaded that People to banish those *needleless Members* (as he called them); so the leading *Quakers* perceiving the Clergy of *England* so able and industrious to discover all their evil Designs, use their utmost Art to enrage the People against them; railing at their Profession, flandering their Persons, undervaluing their Sacred Administrations, disputing

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sputing against their Learning, and especially seeking to deprive them of their Maintenance, which they take to be one main part of their Support. They know, while the Clergy have these Provisions, they will have Books, and leisure to Study, and Learning enough to baffle all their silly Pretenses; which can gain no ground as long as a *Priesthood* stands. And therefore it is one part of Conversion, in the *Quakers* account, to make Men hate their Ministers Persons, and withhold their Dues; *Railing at Tythes*, "being the *Quakers Delilah, the very Darling* and *Minion of that Sect*. They see they cannot quench the Lamp, and therefore they would stop the Oyle that nourishes it; and because they dare not engage this Army, they attempt to force them to disband for want of Pay. *Hezekiah* commanded his People to give the portion of the Priests and Levites, that they might be encouraged in the Law of the Lord, 2 Chron. xxxi. 4.
And

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And the *Jews* have a Proverb, *Sine farina non est lex*. But our Adversaries finding our Study of the Law so destructive of their inspired Nonsense, they would gladly stir up the People to take away our Books and Subsistence from us, that we might be starved into Ignorance, and by our sad Necessities be brought down to their scantling of Understanding; and then they hope their Speakers would be an equal Match for us. And truly our *Quakers* find their Harangues against *Tythes* are very taking with the Covetous and Atheistical, with those who care not much for any Religion, and therefore like the cheapest best. They please such as do not understand the *Clergies* Right to them, nor discern the ground of the *Quakers* spite against them: But wise and pious Men, who know what Benefit both Church and State receive by this disposal of *Tythes*, do despise such Railers, and look upon them as designing to disturb the Kingdom, destroy Learning,

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ing, and ruine the most famous of all Protestant Churches. 'Tis a Policy of Secular Rebels to complain of Tributes and Publick Payments; not so much in pity to the People, as malice to the King; that his Treasury being empty, he may be exposed to their Fury, and unable to resist their Force: And these Rebels in Religion take the same Method. But what *Tacitus* saith of the State, may be applied to the Church in this Case; *There can be no Quiet to the Nations without Souldiers, no Souldiers without Pay, nor no Pay without Tribute, on which therefore the Common Safety doth depend.* Even so, No Peace in the Church without Ministers, no Ministers without Maintenance, nor no Maintenance without these publick Contributions, on which therefore the Safety of Religion doth depend. So that our Changers of Religion mainly seek to overthrow these things, and to that end have sent out *T. E.* as their Champion: But I doubt not to shew,
he

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he is armed with more Malice than Reason ; and that his Arguments are as weak, as his Designs are base.

§. 2. And first, Dear Sir, I perceive our strutting *Quaker* looks on you with a scornful eye, and says, *p. 277. Tythes were wont to be claimed as of Divine Right, but he finds this Priest is not hardy enough to adventure his Cause upon that Title.* Sure he takes himself to be very terrible, for he believes none but a hardy Man dare set upon him : yea, he persuades his *Quakers*, that they who were wont to claim *Tythes de jure Divino*, were more bold than wise. Let us therefore see who and what they were whom *T. E.* thus censures : Truly no less than *Origen*, *Hom. 11. in Num. 18.* *Cyprian de Unitate Eccles. S. Hierom. in Malac. 3.* *S. Augustin Hom. 48.* divers Christian Councils of old, *Justinian*, and the *Imperial Roman Laws*, *Charles the Great*, and the *French Capitulars* ; the *Saxon Kings* and Councils of this Nation, and all Monarchs and Parliaments

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liaments of later times; particularly, King *Henry VIII.* and *Edward VI.* (as *T. E.* confesses, p. 333, 334, 335.) together with the most famous *Common Lawyers*, agreeing, That *Dismes sont choses spiritual, & due de Jure Divino.* *Le Evesq. de Winch. Case.* *L. Cook's Reports, part 2. pag. 45.* as also the unconcerned and incomparably Learned Sir *Henry Spelman*, with divers other excellent Writers, too many to recite. All these were so hardy as to adventure this Cause of *Tythes* on *that Title*: And when this obscure and empty *Quaker* hath confuted all these, he may then have some pretence to boasting; but till then, he hath no reason to triumph over you, who did not decline this Argument wholly, but onely said, *you would not insist upon it, pag. 142.* So that it is evident, you laid aside this Weapon (*of the Divine Right*) not out of any distrust of the Argument, nor out of any great Opinion of your Adversaries Skill; but in very truth, you seem to have been

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loth

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loth to cast Pearls before Swine, who understand not the value of them ; and you were hardy enough to have insisted on it , if you had been to deal with nobler Antagonists. But to treat of things done three or four thousand Years ago , to those who know not the History of the last *Century* ; to discourse of the difference between *Natural* and *Instituted Religion* ; to inquire how far the Acts of inspired *Patriarchs* , approved by God the Father, and not disapproved by God the Son, together with the Suffrages of *Christians*, and the Consent of the wisest *Gentiles* ; the general Rules of Scripture, expounded by the Practise of all Ages ; How far (I say) all these will extend to the Constitution of a *Jus Divinum*, I suppose you thought things a little too high for the *Quakers* capacity ; and therefore you wisely chose to insist upon plain matters of fact, as more apt to instruct and convince this kind of Men . Yet since *T. E.* provokes the *Priests* to the taking up
this

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this Argument again, I hope to demonstrate, That they need not be ashamed of the Weapon, nor afraid of this daring Adversary.

§. 3. To make out the *Divine Right of Tythes*, there are ~~three~~ *three Periods* to be considered :

1. *Before the Law.*

2. *Under the Law.*

3. *The Times of the Gospel.*

Concerning the *first Period*, *Before the Law*, you said very little in your *Conference*, as not deligning to manage this Argument ; onely I perceive you had mentioned, *That the Divine Right of Tythes was derived from Melchisedec, not from Levi.* Which Passage being single, and not guarded with any Proofs or Reasons, this sculking Adversary falls upon very fiercely, fancying, if he can run down this one Sentence, which stood naked, he shall then confute the *Divine Right of Tythes*. Here (thinks the *Quaker*) is an open place ; he is driving at the *Humane Right*, and I find no Arguments to grieve me in

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my opposing the *Divine Right*: I will therefore triumph over this little occasional touch, and then proclaim, I have confuted the *Jus Divinum*; and upon that Supposition, I shall more easily find out an Answer to his Arguments *de Jure Humano*, by asserting, That all his Humane Laws rely on a false Foundation. But if *T. E.* had been a noble Enemy, he should first have disproved the *Jus Humanum*, which was the Argument you managed; and not from a transient Speech have boasted, he had disproved clearly the *Divine Right of Tythes*; which he is so far from being able to confute, that his first words do declare, he doth not understand the Question: For this *Quaker* thus begins; *It is then inquirable, Whether or no Tythes were ever due to Melchisedec? That which should make them due, must be a Command* — but we do not find any *Command in Scripture that they should be paid to Melchisedec.* The Assertors of the *Divine Right of Tythes*

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Tythes do not make them originally due either to *Melchisedec*, or *Levi*; but to God himself, whose Right to them is founded primarily upon the Law of Nature, antecedent to any positive Constitution: For since *the earth is the Lords, and the fulness thereof*, *Psal. xxiv. 1.* and that all we enjoy is derived from his Bounty and Blessing, Natural Reason teacheth us to give God some part of his Gifts back again, as a token of our gratitude; which is but the giving him of his own, *1 Chron. xxix. 14.* And this Natural Law we have transcribed into the Scripture: *Honour the Lord with thy substance*, *Prov. iii. 9.* which Rule obligeth *Christians*, as well as *Jews*. Some part of our Substance being therefore due to God, and *Abraham* and *Jacob* (before any positive Law) having by their Examples declared, that the *Tenth* was *that Part*; there was a claim made of this *Tenth part*, as being originally due to God long before. *All the Tythe of the land is*

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the Lords, Levit. xxvii. 30. And the first time they are mentioned, *Exod. xxii. 29.* they are not directly enjoined, but supposed due, and forbid to be with-held. And hence those who paid not this Homage and Service, are said (not to rob the Priests, but) *to rob God, Mal. iii. 8.* And when our Saviour saith, *we must give unto God the things that are Gods*, S. Hierom reckons Tythes among the things which are Gods (a). *The Lord*, saith S. Augustin, *claimeth the Tenth to himself, permitting to us all the rest* (b). The like say many others: even *Plutarch*, a Heathen, calls the Tenth part *θεῶν τέλεον*, *Gods Tribute*. But now though God have a right to the Tenth part of our Substance, yet he cannot be his own Receiver; for he needs not our Goods himself, *Psal. xvi. 2.* So that we are to inquire, who must be Gods Receiver; and for that, even Reason will teach us, That what is due to the Master, ought to be paid to his next and immediate Servants, that is, to his

(a) Hieron.
in Mat. 22.

(b) August.
de Tempore,
serm. 219.

his *Priests*. And *Abraham*, in paying his *Tythes* (which were Gods part) unto *Melchisedec* the *Priest of the most High God*, did confirm this Dictate of Reason, That the *Priests* should be Gods Receivers: and God himself gave more full proof of it in the *Mosaical Law*, when he made so plain an Assignment of *Tythes* to those who were his Ministers then; *Behold, I have given the Children of Levi all the Tenth in Israel*, Numb. xviii. 21. Yea, the Light of Nature taught the *Gentiles* to bestow that upon their *Priests*, which they had vowed to their Gods: And *Origen* gives us the *Christians* sense of this matter; *That is said to be offered to God* (saith he) *which is given to his Priests* (c). We see then how *Abraham* might know that part of his Substance was due to God, and that *Melchisedec* was to be the Receiver thereof, without any express written Rule to direct him. And indeed *T. E.* is very impertinent in inquiring, *What Command there is in Scripture*

(c) *Orig. Hom. 11. in Num.*

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to Abraham to pay his Tythes to Melchisedec: For, there was not any Scripture at all in *Abraham's* time, nor was he directed (as we are) by a written Word, but by the Light of Nature, by the Tradition of the preceding Patriarchs, by Inspiration of the Spirit, and sometimes by special Revelation. *Moses* indeed did write a brief History of those Times 400 years after: but since he comprises the space of 2300 years in one Book of *Genesis*, it cannot be expected he should set down all Particulars, nor in all the Actions of the Patriarchs shew what Reason they had for, or how they were directed in such an Action. We know from the Light of Nature, that part of our Substance is due to God; and we gather from the Act of *Abraham* (an inspired Patriarch) that the *Tenth* is that part, and the *Priest* the Receiver thereof. Yet if any would be satisfied how *Abraham* came to know, that the *Tenth part*, and no other, was that which should be given to God, I answer,

swer, That in all reason we ought to believe it was at first revealed by Almighty God to him, or to some of the first Patriarchs, who were directed by the Divine Spirit to pitch upon *this Part*, which the Patriarchs are recorded to have fixed upon: For, if it had been a meer Humane Invention, it is unlikely God should have imitated them, in chusing the *same Part*: And by this after-Act the Divine Majesty did approve that Number, and declare the Patriarchs were at first guided by his Spirit in the choyce thereof. And if the *Quakers* (now that there is a Written Rule) pretend to be guided by the Spirit of God, at least in their Solemn Actions; how much more ought we to believe, that the holy Patriarchs were so guided, before there was any Written Word to manifest Gods Will? Thus the way of honouring God by Oblation of Sacrifice, is believed to have been first revealed to *Adam*, although the particular Command for it be not recorded.

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ed. The like we may believe also concerning this of Dedicating a *Tenth* part, especially if we consider how it was propagated by Tradition among the *Heathens*, of whose Practices we have any Histories to inform us. "The Tyrians gave the *Tenth Part to their Gods: And by their Example the Carthaginians (a Colony of Tyrians) sent their Tythes yearly to Hercules Tyrius; and finding themselves unfortunate when they for a while had omitted it, they restor'd the Tythes as before*(d). *Dydimus the Grammarian saith, It was the custom of the Greeks to consecrate the Tenth of their Gains to the Gods. And the Inhabitants of the Island Syphnus are remembred by Pausanias to have had their Mines swallowed up by the Sea, upon their neglect of paying the Tythes to them, as formerly to Apollo*(e). For the *Romans*, it is well known, *they vow'd the Tenth of their Fruits to Hercules: And Lucullus was believed to grow rich by his punctual payment of these*

(d) Diodor.
Sicul.

(e) Pausani-
as Hist.
Græc.

these Dues (f). And that this was (f) *Alexand.*
 not done onely by them of extraor- *ab Alexand.*
 dinary Devotion, we learn from *Plu-* *lib.3.cap.22.*
tarch, who saith, *The careful Father*
of a Family divides his Tears Profits
into Ten parts; Six to be spent on his
Houſhold, Two to be laid up, One for
the Seed of the next Year, and the
Tenth is the Tribute of the Gods (g). (g) *Apud*
And Paulus Diaconus ſpeaks general- *Episc. Win-*
 ly of all Heathens, *Of old they offer-* *ton. Theol.*
ed all the Tenth to their Gods. And *Determ.*
Alexander ab Alexandro, *The Tenth*
part of the Fruits were every where
vowed to Hercules (h). There are (h) *Alex. ab*
 more Proofs of this kind in *Sir Henry* *Alexand.lib.*
ſpelman's larger Work of *Tythes*: *3.cap.22.*
 But theſe may ſuffice to ſhew, that
 the moſt diſtant Nations did conſent
 in giving this Tenth part to their
 Gods; which therefore we muſt be-
 lieve they had by Tradition from
 the firſt Patriarchs, who received it
 by Revelation from God. This is a
 ſufficient account by what Authority
Abraham might proceed in the
 choyce of the Tenth part: And it is
 not

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not necessary (Since the Scripture is silent) I should determine, whether *Abraham* was immediately directed to it, or whether he learned it from *Melchisedec*, (who, *St. Paul* saith, *Tythed Abraham*) or whether they did not both learn it from the first Patriarchs, which is most likely ; it being sufficient, that God hath Recorded it with approbation, and afterwards Ratified it by following this Example. Even as in the Case of putting an Adulteress to death, *Judah* proceeds upon that, as being a just Punishment : And though we read of no Command before to enact it into a Law, yet we believe *Judah* received that Law by Tradition from the Patriarchs, who were taught it by God, *Gen. xxxviii. 35.* And we are the more confirmed this Law came from God at first, because he approved it, and writ it down afterwards, *Levit. xx. 10.* And when *T. E.* shews me a Command before *Judah's* time to put an Adulteress to death, I may shew him a Command for *Tythes* before *Abraham*. §. 4.

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§. 4. But our *Quaker* goes on, pag. 278. *Moses saith expressely, he gave him Tythes, he doth not say he paid him Tythes: And the Apostle saith, Abraham gave the Tenth, Heb. vii. 4. To give is one thing, to pay another.* I answer, *To give* and *to pay* is all one in this case, or else the Apostle was overseen, who not onely saith *he gave the Tenth, ver. 4.* but (which T. E. concealed) *ver. 9. Levi paid Tythes in Abraham: the Greek word δίδωμι intimating, that Melchisedec Tythed him.* Nor will the *Quakers* critical distinction between *to give* and *to pay*, hold in other cases; for it is very proper to say, we give a Man that which is his due. I hope he will not accuse *David* of improper speaking, when he saith, *Give unto the Lord the honour due unto his Name, Psal. xxxix. 2.* But however T. E. will grant *Tythes* were due to be paid under the Law; and yet we read, *Hezekiah commanded the People to give the Priests their Portion, &c. 2 Chron. xxxi. 4.* So that

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that the word *give* in *Gen. xiv.* doth no more prove *Tythes* were not due to *Melchisedec Jure Divino*, than the same in *Chron.* proves they were not due to the *Levites Jure Divino*. Yet if the *Quakers* like this *Criticism* of *T. E.* I hope it will persuade them to *give* us our *Tythes*, though they will not *pay* them.

§. 5. His next Objection, *pag. 279.* is, *If they were due to Melchisedec, then Abraham must have paid him Tythes of all his Substance, and not onely of the Spoils, Hebr. vii. 4.* This was an extraordinary Occasion, wherein *Abraham* having got a Victory by Gods Blessing, did give to God the Tenth of all he had now gotten; as in all probability he was wont ordinarily to do, of all that he got by Gods ordinary Blessing; onely this (as more especially remarkable) is recorded in this short History. So that *T. E.*'s saying *he doth not read in Genesis that Abraham paid his Tythes constantly*, is no Argument, unless all that *Abraham* ordinarily

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dinarily did were recorded there. And I may ask him where he reads there, that *Abraham* did not pay them. His Negative arguing is of no more force, than it would be if he should say, Those *Ante-diluvian* Patriarchs did nothing else while they lived but beget Sons and Daughters, because no more is recorded of many of them, *Gen. v.* *T. E.* therefore cannot prove *Abraham* did not pay *Tythes* ordinarily; and I can make it appear very probable he did: For, first, It is very probable *Melchisedec* was the same with *Sem*, the Son of *Noah*: so the ancient *Hebrew* Traditions said (*i*); (*i*) *Hieron.* and so *Lyra*, *Tostatus*, and others do *ad Evagri-* prove. *Epiphanius* indeed thought *um Epist.* *Sem* must be dead before; but he *126. &* was led into this mistake by follow- *Quest. Hebr.* ing the Chronology of the *LXX*. And *in Gen.* *S. Hierom* computing according to the *Hebrew* Account, makes it appear, that *Sem* did live 35 years after *Abraham's* death (*k*). And concern- (*k*) *Id. Epist.* ing the Occasion of his coming to *ad Evagr.* *Salem*,

Salem, there is a very notable Account in *Saidas Batricides*, (who yet makes *Melchisedec* not *Sem* himself, but one of his Family, and allied to *Abraham's* Ancestors) viz. That *Noah* being about to die, commanded his Son *Sem* to take *Adam's* Body (which his Father *Lamech* had ordered him to bury in the middle of the Earth), and to take with him Bread and Wine for his Journey, and also to take *Melchisedec* the Son of *Phaleg* along with him, and go to the place where that Body was to be buried, which the Angel (saith *Noah*) will shew you; and command *Melchisedec* that he shall place his Seat there, and that he shall not marry, but lead a Religious Life, because God had chosen him to minister before him; for from that place shall come the Saviour of *Adam* (l). But the *Targum* of *Jerusalem* (m) saith expressly, *Melchisedec*, that is, *Sem* the Son of *Noah*. Yet whether he were *Sem* or no, this is agreed by all, that he was the Priest of the True God;

(l) *Vid. Selden de Jure nat. Hebraeorum*, lib. 3. cap. 2.

(m) *In Gen. xiv.*

God: and being the eldest of the Family living (if he were *Sem*), or being elder than *Abraham* however, he had good reason to be his Priest in Ordinary. Yea, there are ancient Authors, and probable Reasons to induce us to believe, that *Abraham* was called out from amongst his Idolatrous Countrymen, by God, on purpose to send him into *Canaan*, to be instructed by *Melchisedec* in the Worship of the True God. And hence he chose his Habitation near unto *Salem*, viz. in the Plain of *Mamre*, which is *Hebron*, being (as *S. Hierom* computeth) but 22 Miles distant from *Jerusalem*, whither he might easily repair with his Oblations and Tythes, to the more Solemn Worship of God. And the *Jews* think, that *Melchisedec* did continue to be the Priest of *Abraham's* Family long after: For when the Twins struggled in the Womb of *Rebecca*, it is said, *She went to inquire of the Lord*, *Gen. xxv. 22.* that is, by *Sem*, say the *Hebrews* (*n*), or by *Melchise-* (*n*) *Lyra.*
D dec,

(o) *Fun. &
Tremel. in
loc.*

dec, as others (o). We cannot be positive in a matter of so great Antiquity : but I hope these things may suffice to make it very probable, that *Melchisedec* was *Abraham's* Priest in Ordinary. And doubtless *Abraham* and he were acquainted before, yea, in League together, as appears from his being so glad of *Abraham's* Victory, presenting him with Bread and Wine for his Refreshment, or (as some have thought) offering a Sacrifice of Praise to God, in thankfulness for the same. And since all *Abraham's* Increase came as much by Gods Blessing, as these Spoils, why should he not pay *Tythes* of his *ordinary Gains*, as well as of his *extraordinary*? And it is very likely *Jacob* had seen this Custom in his Fathers House, because he vows to give unto God *the Tenth* of all the Goods that God should give him, even in that strange Land to which he was then going, *Gen. xxviii. 22*. And when *T. E.* can bring as great Authorities, and as good Probabilities to the contrary,

trary, it will then be time enough for him to say, that *Abraham* paid not *Tythes* of any thing but the *Spoils*.

§. 6. Another bolder pretence of *T. E.* is, pag. 280. viz. *That Tythes could not be due to Melchisedec upon a Right founded in Natural Justice and Equity, since there was not in those days any settled Publick Worship, wherein he could perform any Priestly Office, for which Tythes could be due to him.* This poor *Quaker* is as bold, as he is blind; and hath exposed himself to the scorn of all knowing Men by this absurd Position, which I might confute from that place of *Gen. iv. 26.* *Then began men to call upon the Name of the Lord:* which must be meant in publick, for in private they did it before; unless *T. E.* will assert, they were all Atheists before *Enos* time. I might also shew his mistake from other Instances: but I will keep my self to *Melchisedec*. Doth not *Moses* say expressly, *He was the Priest of the most*

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high God? Gen. xiv. 18. And doth not *S. Paul* make him a Type of *Christs* Priesthood? And had he not a fixed place of Residence at *Salem*? Now what is a Priest fixed in a City for? Not for private Worship, that every man may perform at home: It was then for performing publick Worship that he resided there. And we cannot suspect so holy a man as *Melchisedec* would be negligent in his Office: wherefore we ought to believe, he did perform Gods publick Worship solemnly at *Salem*, and constantly also. And by that he had a Right founded in Natural Justice and Equity, to receive *Tythes* from all within his Jurisdiction. It is very likely the *Tyrians*, who were of the ancient *Phœnician* Inhabitants of *Canaan*, learned to pay *Tythes* to their *Priests* (which they are observed to have done) from the *Tythes* paid to *Melchisedec*, when he was a *Priest* here among the *Phœnicians*. And as to this occasion, it is apparent, that he did perform the Office of a *Priest*
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now to *Abraham*, in blessing the most High God for his Victory, with *su- table Hymns* (saith *Josephus*) ; and in blessing *Abraham* himself at this time : And so he deserved those *extraordinary Tythes*, as justly as he did his *ordinary Tythes* for his *daily Administrations*.

He proceeds in his gross mistakes, saying, *ibid.* I find not one Instance (this single gift of *Abrahams* excepted) of giving or receiving *Tythes*, in all that 400 years between *Abrahams* time and the *Levitical Priesthood*. If this were true, that the Scripture did not mention any more Instances of paying *Tythes*, it doth not at all prove, they were never paid at other times : For an Argument from Scripture-silence in matters of Fact is not valid, as we noted before. But alas ! this inspired Mans Reading and Revelation both fail him in this matter ; for there is a plain Instance in holy *Jacob*, *Gen.* xxviii. 22. who made a solemn Vow to give unto God the Tenth of all his Gains : And *Jose-*
D 3
phus

(p) Joseph.
Antiq. li. I.
cap. 18.

phus tells us (p), he did perform it. Now if *Jacob* did perform this Vow, then there is another Instance of giving *Tythes*: And if *T. E.* say *Jacob* did not perform his Vow, then he charges that blessed Patriarch with Perjury and Ingratitude. It is true, the Book of *Genesis* doth not tell us who was Gods Receiver then; but no doubt there were some performed that Office, though it be not expressed who. However, if *Jacob* gave them immediately to God by way of Sacrifice (which is all that *T. E.* can pretend), yet still he gave the *Tythes*; and so this is another Instance of giving *Tythes* before the *Levitical Priesthood*. Therefore the *Quaker* hath not a Repetition of all Revelations, or not a good Memory to retain them.

§. 7. He hath yet another fetch more, pag. 281. *That if Tythes were due to Melchisedec, yet could not the Clergie of this Age derive any Right from him to them, inasmuch as they are not of his Priesthood.* I hope
T. E.

T. E. will grant, that *Christ* was of his Priesthood; or else he contradicts the Scripture, *Psal. cx. 4.* And if he grant this, we must ask, Whether or no his Apostles were not his Successors? and then, Whether we do not derive our Succession from them? Besides, *Aaron's* Priesthood was onely Temporal; but *Melchisedec's* was to continue to the end of the World. And indeed all the Fathers note, That *Melchisedec* had the same Priesthood with the Ministers of the Gospel: He was not derived from *Levi*, nor admitted to his Office by the Catalogue of his Parents, (whence he is called, *without father and mother*, that is, *of such a certain Tribe*): His Worship was altogether Spiritual, Praising God, Praying for *Abraham*; offering no bloody Sacrifices, but onely bringing forth *Bread* and *Wine*, which some have thought to be the Types of the great Gospel-Sacrament of the *Lords Supper*. And hence it is plain, That we are *Priests*

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after *Melchisedec's* Order. And if Authority of Fathers be of as much credit, as the single Testimony of *T. E.* I can produce the plain words of *S. Hierom, S. Chrysostom, S. Augustin, Epiphanius, Theophylact*, and many more, affirming, That the present Ministers of the *Christian Church* are of *Melchisedec's Priesthood*: And none (that ever I heard of) before, did deny it, but the *Jews*, and *this Quaker*. But his Assertion is not more strange, than his Reason is ridiculous: For if we ask him, why he denies us to be of *Melchisedec's Priesthood*, he answers, *Every one knows, that these men are made Priests after the Law of a Carnal Commandment; whereas Melchisedec was made a Priest after the Law of an endless Life.* Doth every one know this? No sure: for every one knows not the meaning of this Phrase, [*To be made a Priest after the Law of a Carnal Commandment, Hebr. vii. 16.*] no not this *Quaker* himself, who hath learned to cant in this Language; which

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which if he had known the meaning of, he would not have misapplied so grossly : For the Apostle speaking of the *Jewish Priests* in that place, saith, *They were made Priests after the Law of a Carnal Commandment* ; that is, according to *Moses Law*, which consisted of outward and weak Commandments, reaching onely to the purifying of the Flesh. Now what an idle and impertinent man is this, to say, we are made Priests according to *Moses Law*, and that every one knows this ! O impudent Slander ! Are we bound to all the Sacrificings, Washings, and other *Levitical Rites* and Ceremonies, at our Ordination ? Every one will know by this, that *T. E.* can prattle in *Scripture-phrase*, without any knowledge of its *meaning*. 'Tis evident we are not Priests according to that carnal, outward, changeable, *Levitical Law* ; but according to the Law of the *Gospel*, whose Eternal Duties have in them the power of an Endless Life. And as this Law must never change, so
neither

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neither must our Priesthood ; but, like that of *Melchisedec*, shall endure for ever. And as we bear the same Office with him, and do the like Work, we deserve the same Reward, and may expect *Tythes* as well as he. And now whereas the boasting *Quaker* saith, *He thinks he need not stick to say, he hath proved Tythes were not due to Melchisedec ;* the sober Reader will believe his onely Reason is, because he will not stick to say any thing, be it never so false and unreasonable.

§. 8. Concerning the *Second Period or Time, Under the Law*, you had affirmed two things in the Conference.

1. *That we did not claim Tythes now by vertue of the Levitical Law.*
2. *That they were not purely Ceremonial.* In your first Concession, *That Tythes are not now claimed by vertue of the Levitical Law*, T. E. rejoices, saying, pag. 282. *That you have saved him the pains of proving the Levitical Law for Tythes was abrogated by Christ.* But let not the *Quaker*

so

so far mistake, as to think that the abrogation of the *Levitical Law* concerning *Tythes*, was an abrogation of *Tythes* themselves. Our Lord abrogated the *Levitical Law* concerning the *Modes of Gods Worship*; but he did not abrogate *Gods Worship*. The *Worship of God* was founded upon the *Law of Nature*, and *Divine Revelation*; and was performed by the *Patriarchs* before there was any *written Law* about it. The *Levitical Law* enjoined many *Modes and Circumstances* proper to *that Dispensation*, and relating to *Christ to come*; all which fell with that *Polity*, and were abrogated by *Christ*: But the main Duty of *Worshipping God* continued in force still. Even so in the Case of *Tythes*, they had not their Foundation upon, nor their Original from the *Levitical Law*: God had a Right to them before; and in his Right (*jure Divino*) they had been paid to his Receiver. The *Law of Nature*, assisted by *particular Inspiration*, had so fully declared

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red the *Divine Right of Tythes*, that holy Men had recognized Gods due to them; and the Father of the *Israelites* had made a special Vow to pay this *Divine Tribute*. So that there was no need for God to Institute *Tythes* anew; and accordingly he claims them, and supposes them to be his Due by a Right antecedent to the *Levitical Law*, *Exod.* xxii.-29. *Levit.* xxvii. 30. And having chosen the *Jews* for his peculiar People, and established a Polity among them proper to that Dispensation; as his Church was confined to that one Nation, so his Priests were fixed to one Tribe; and on that Tribe he settles his own *Demefnes, Tythes*, by a plain Affignation of them to the *Levites*, as his Receivers, *Numb.* xviii. 21. and so they were to continue so long as that Polity stood. Now the restraining these *Tythes* to the Tribe of *Levi*, and all the Circumstances of Tything which related to the Ceremonial Worship, such as the bringing the *first* or *Levites Tythe in specie* to

to *Jerusalem*, or to some of the *Levites* Cities; and likewise the *second Tythe*, (which onely might be changed into Money, and laid out in a Feast at *Jerusalem* (q), and not the *first Tythe*, as T. E. mistakes) ; as also the Tything of the *Levites Tythe* for the *Priests*, *Numb. xviii. 26.* the Redemption of the First-born of all Men, and unclean Beasts : These, with some other Circumstances, were wholly Ceremonial, Appendixes to the Original Right of *Tythes*, and proper to that Ministry and Dispensation. Now when *Christ* did abrogate that Ministry, these Appendixes must needs be abrogated with it; but the main Duty (which was so before the Ceremonial Law) remains still. The putting on a new Sute, doth not make one a new Man; nor doth the pulling it off again kill him : And there may be many alterations in Circumstances, the Essentials still remaining the same. But some may say, Is the *Levitical Law* of no use to prove *Tythes* to be of
(q) Vide Deut. xiv. 22, 23. Tob. l. 7. & Scal. de Decimis in Crit. sacr. Deut. xxvi.

Divine

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Divine Right now? I answer, Though we do not claim by it, yet we may learn something from it, to clear that Title which we have from other Laws. For, *First*, This shews how God continued his Claim to those *Tythes* which were his due before: And this shews his approbation of the Payment of them by the Patriarchs. This also confirms the disposal of them to those that bear the Office of Gods Ministers, and makes good the Prescription against those who are not Gods Ministers. *Secondly*, This was a Pattern for *Christ* to imitate, in his Provision for Gospel-Ministers, as *S. Paul* teacheth us, where he saith, *Know ye not, that they which minister about holy things, [i. e. the Levites] live of the things of the Temple, [i. e. Tythes]? and they which wait at the Altar, [i. e. the Jewish Priests] are partakers with the Altar [i. e. in the Sacrifices and Oblations]? Even so hath the Lord ordained, that they which preach the Gospel should live of the Gospel,*
1 Cor.

I Cor. ix. 13, 14. Which words
 [Even so] do manifest, that *Christ*
 bath in the main, and for the essential
 part, made like Provision for *Gospel-Ministers*, as God the Father did
 for the *Jewish Priesthood*. Thirdly,
 This was also a Pattern for the De-
 vout *Christians* of old, and did in-
 timiate to them, that they should not
 do less for their Ministers than would
 afford them an honourable Mainte-
 nance: Wherein *Origen* speaks my
 sense fully (r); "Our Lord saith in (r) *Orig. in*
 "the Gospel, (speaking of Tything *Num. Hom.*
 "Mint, &c.) *These things ought ye*^{2.}
 "to have done. If you reply, He
 "said this to the Pharisees, not to
 "his Disciples; then hear what he
 "saith to his Disciples, *Except your*
 "*Righteousness exceed the righteous-*
 "*ness of the Scribes and Pharisees,*
 "*ye shall not enter into the King-*
 "*dom of Heaven*, Mat. v. Therefore
 "that which he would have done by
 "the Pharisees, more abundantly
 "would he have it done by his Di-
 "sciples. — Now how doth my
 "Righteous-

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“Righteousness exceed that of the
 “Pharisees, if they durst not taste
 “of the Fruits of the Earth, before
 “they had separated the Priests and
 “Levites parts; and I do devour the
 “Fruits of the Earth, so that the
 “Priest knows not of it, the Levite
 “is a stranger to it, and Gods Altar
 “receives nothing. *Fourthly*, The
 Substance of that which was requi-
 red then, is due still; not by vertue
 of that Law, but because there is an
 inherent Equity in the thing. And
 this is *Origen's* meaning in the afore-
 said place, when he saith, “There-
 “fore I think it necessary that this
 “Law [of Paying Tythes of the
 “Fruits of the Earth] and some
 “others, should stand in force ac-
 “cording to the Letter. And so
 we must interpret *S. Hierom*, when
 he saith, “That which we have said
 “of Tythes and First-fruits, which
 “were once given by the People to
 “the Priests and Levites, you must
 “understand also of the Christian
 “People, to whom it is commanded
 “not

“not onely to give *Tythes*, but to sell
“all(*f*): That is, so much of the Com- (*f*) *Hieron.*
mand as was moral, so much as was in *Mal. 3.*
grounded upon Eternal Reason,
ought to stand. God is eternally
Lord of the World, and must alwaies
be worshipped, and alwaies have Mi-
nisters, and these must alwaies be
maintained out of their Masters Por-
tion. When the *Levitical Priesthood*
failed, there must be another and a
better; and therefore we may claim
Tythes as God’s Due, and as his Mi-
nisters Portion, (as they were de-
clared to be both before the *Leviti-
cal Law*, and under it,) and yet need
not claim them by the *Levitical Law*,
as it is Ceremonial.

And now I hope T. E. must con-
fess, that your second Position, viz.
[That *Tythes* are not purely Ceremo-
nial] is made good also; since I have
shewed they were grounded on the
Law of Nature, and Primitive Re-
velation, relying on an Internal Re-
cognition in the thing it self, and an
Eternal Reason of it; and were paid
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by those Patriarchs who lived long before the Ceremonial Law, by vertue of the preceding Declarations of the *Divine Right* unto them. Tis true, all things done by the Patriarchs were not Eternal Duties, because all things they did relyed not on these Principles, which the Payment of *Tythes* rely upon. *Circumcision* was not grounded on the Law of Nature, nor imposed for any Eternal Reason or Internal Rectitude in the thing. Bloody Sacrifices were also purely Types of *Christ* to come; and therefore these were purely Ceremonial, and cease when that Law ceaseth: But *Tythes* as to the main, were not such, and therefore remain in force still. I might add, That the Prophets (who are not wont to reprove the People for omission of things purely Ceremonial) declaim against the *Jews* for detaining their *Tythes*; see *Mal.iii.10*. And *Nehemiah* calls his care in this, a *Good Deed*, desiring God to *remember him for it*, *Nehem. xiii.14*. Nor are *Tythes* in all the

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the New Testament reckon'd up among things purely Ceremonial, or declared to be repealed, as *Circumcision, Sacrifices, Washing, Jewish Difference of Meats, and Jewish Feasts, &c.* are. These are repealed by Name, but so are not *Tythes*, as being a thing that never were purely Ceremonial. I conclude, that part of our Substance being due to God, by the Natural and Divine Law; and the Inspired Patriarchs being taught by Revelation, That the *Tenth* was this part, and the Priests of God were his Receivers: God himself having approv'd also this payment by a renew'd claim, and an express Assignment of his Right under the *Levitical Law* to the Priests for the time being: and the same God having the same Right still to his part, and the same occasion to use it, for the maintenance of his Ministers at this Day: Hence I suppose it will follow, That (unless an express repeal can be shewed) the *Gospel Ministers* in God's Name may justly claim *Tythes* as due to God and

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them still, and that by a *Divine Right* too, which I will now more fully prove.

§. 9. Having found sure footing for the *Divine Right of Tythes* thus far; we will now go on with T. E. to consider the third Period of time, viz. *Under the Gospel*. And first, we will begin with what the *Quaker* grants pag. 284. viz. *That a Maintenance in general to the Ministers of the Gospel is Just, Reasonable, and established by a Divine Authority*. Let him but stand to this Grant, and then it will follow, That the Ministers of the Gospel may claim a Maintenance in general *Jure Divino*: For, that Maintenance which is *established by Divine Authority* is due *Jure Divino*. And why then should not that Maintenance still be so Due, which God directed before the Law, approved under the Law, and never repealed after the Law? If the Divine Authority hath established a Maintenance, that supposeth it was such a Maintenance as was due before (according to
T. E.

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T. E. p. 318.) Now before the Gospel times, the Maintenance paid to Gods Ministers before the Law and under it, was *Tythes*. The Priesthood of *Melchisedec*, and of *Levi*, both were so maintained. And therefore if a new maintenance was (as T. E. speaks) *created*, it might be somewhat else; But if a Maintenance be *establisted*, methinks it should be *Tythes*. But to proceed: The places which you produced out of the *New Testament* for this *Establishment* were 1 Cor. ix. and Gal. vi. 6. Now our *Quaker*, (as if he did already repent of his Concession) strives to pervert these Texts by two Limitations. First, *The Apostle speaks not so much* (saith he) *what the Maintenance is, as who they are from whom it is to be received, viz. Such as receive their Ministry, such as believe them to be true Ministers, such as are taught by them.* This is a notorious falshood; for in the former place, viz. 1 Cor. ix. S. Paul is all along speaking of the Ministers Right to be maintained. And he shews what Main-

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tenance was due to the *Jewish* Ministers, affirming, that Christ had ordained [*even so*] that we should live of the Gospel; that is, the Rights of God under the Gospel, and the acknowledgments made to him for the mercy therein revealed. The things of the *Christian* Temple and *Altar* were to be our Maintenance. And is not this to say, *What the Maintenance is?* not a word in all this who should pay it. And for the Instances of the *Ox*, the *Souldier*, the *Shepherd*, and *Vine-dresser*, Can these (as *S. Paul* brings them in) belong to those who pay the Maintenance? Doth the *Ox* pay his Master Maintenance? or the *Souldier* give his Prince a Stipend? It is the Ministers whom *S. Paul* compares to the *Ox* for profitableness, to the *Souldier* for hazards to be undergon, to the *Vine-dresser* and *Shepherd* for pains and care. And all the Instances do shew the contrary to what this Abuser of Scripture would squeeze out of them. The *Ox* must not be starved, who is willing

willing to work, though he be not actually imploy'd by him that feeds him: and so of the rest. As for the latter place, *Gal. vi. 8. Paul* tells them, they must give the Ministers a part of *all their good things*; And is not that a declaring *what the Maintenance is*? The Apostle saith indeed, *He that is taught in the Work* must give this; But that is to distinguish *Christians* from *Heathens*, of which the World was then full. The *Heathen* was not bound to maintain the Gospel Ministers, but *ο κατηχούμενος*, the *Catechumen*, the *Christian* who was or might be taught, if his own laziness, or pride, or obstinacy hindered not: He was to give the *Catechist* or *Minister*, a part of all his goods. So that still this proves not *T. E's* foolish Inference, That none must contribute to a Ministers Maintenance, but those that are taught by him actually; for these Places say nothing against a Gospel Ministers receiving Maintenance from all professed *Christians*; so that unless the

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Quakers will own themselves *Heathens*, they cannot be excused from paying *Tythes*. And because *T. E.* puts in this device meerly to excuse his Fellow-*Quakers* from paying our Dues, I will let him see the fallacy of this Arguing: First, considering the state of things then; and secondly, with respect to the condition they are in now. First, According to the *Quakers* Principles, the *Christians* of old were all immediately taught by inward Revelation; And if so, what need any Gospel Ministry at all? what need of outward Means? what need had they to have any Teachers of the Word? Or with what equity could this Teacher require maintenance of them, that had no occasion for his Teaching at all? The *Quaker* forgot himself, when he granted a *Gospel Ministry*, and a *general Maintenance* for such; since being taught without Means, overthrows all this. And the *Christians* to whom *S. Paul* writ, might (upon these Principles) have pleaded an exemption from

from giving any Maintenance at all. Secondly, But now that there is (according to *T. E.*) a *General Maintenance established by Divine Authority*; and that pious Men have given a certain part of the profits of their own Lands for this maintenance; How unjust a thing is it for the *Quakers* to with-hold this Maintenance upon pretence they are not (*that is*, They will not) be taught? Let this exact Parallel Case shew their dishonesty herein: Suppose a Pious Man an hundred Years ago, did endow a Free-School with twenty pounds *per Annum*, to be raised out of the Profits of a parcel of Ground, worth two hundred pounds *per Annum*; (that is, the *Tenth* part of the Profits) on condition that all the Boys in such a Town should be taught *gratis*. Now suppose there be a Master legally invested in this School, resident at it, and ready to teach all the Boys of that Town, if they will come; it being the same trouble to him to teach ten as twenty: But it may be not
above

above ten of twenty Boys within that Town will come to be taught, the rest are Truants, and do not come. If *T. E.* himself were the Heir or Tenant to this two hundred pounds *per Annum*, would he think it just or reasonable to stop ten pounds of the twenty, because half the Boys do not come to be taught? Doth not the Masters legal Title, and willingness to teach, give him a just right to the whole stipend? And will not all Men say, the Occupier of the two hundred pounds *per Annum* is a Knave to withhold any part of it on this pretence? And yet this is the very case between the present Clergy and the *Quakers*; and surely none will think *Christ* or his Apostles would countenance the unjust detaining of other Mens Dues upon such weak pretences.

§. 10. *T. E.*'s second device to take off his former Grant of a *General Maintenance established by Divine Authority*, is pag. 286. *That Christ hath expressely set down what this Gospel Maintenance is, viz. onely meat and drink,*

drink, Matth. x. 10. Luke x. 6, 7, 8.
I Cor. ix. 4 Truly this seems somewhat strange, that T. E. should first say, Divine Authority had onely established a Maintenance *in general*, and in the next page but one, affirm, That the same Authority hath *particularly expressed* what this maintenance must be. If *Christ* have allotted the particular Maintenance, then he hath not left it to generals; If he have established it onely in general, then hath he not expressed the particulars. One of these must be false, for indeed there is a manifest contradiction. But moreover, this unfortunate Interpreter never meddles with any place of Scripture without abusing it, and betraying the folly of that Spirit which is in him: For these places of S. *Matthew* and S. *Luke* were spoken upon a particular occasion, of sending Disciples into the Neighbouring Cities of *Judea*, and *Christ* gave them special Rules appropriate to that Message onely; and to apply these Rules to all Ministers, or to the
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general Commission he gave them afterwards, is the most ridiculous and absurd thing imaginable. When the Apostles went to the prejudiced and unbelieving *Jews* with the first news of the Gospel, Meat and Drink was as much as they could expect; and *Christ* bids them to take that and be contented. But he doth no where forbid them to receive more, if good Men freely gave it to them. And if *Christ* (according to *T. E's* fancy) had determined Meat and Drink for the onely Gospel Maintainance, then the Apostles had been great Sinners in receiving the price of Possessions sold and dedicated, *Acts* iv. & *Chap.* v. If they had been taught by *T. E's* Spirit, they must have returned them back again; and so must *S. Paul* have done the wages he took of other Churches, *2 Cor.* xi. 9. and those liberal Presents he received from the *Philippians*, *Phil.* iv. 18. Yea, and our *Quaker* must needs exclaim against *S. Paul* for daring to be so bold, that when his Master had expressly
set

set down Meat and Drink for the Gospel Maintenance, He should ordain that Believers should give their Teachers part of all their Goods or good things, *Gal. vi. 6.* But we shall rather believe *T. E.* contradicts himself, than that the Apostles contradicted their Master; and therefore shall conclude, That the *Quaker* abuses our Lords words, in appling them to be a determination of the onely Gospel Maintainance; and especially if he would make them a standing Rule for the succeeding *Ministry*, after the Church was settled; the folly whereof I shall shew more fully §. 27.

§. 11. And now having removed his vain exceptions, I shall go on to shew, That our Lord *Jesus* and his Apostles have sufficiently established *Tythes* for the maintenance of the the Gospel Ministers; and that they may be proved also out of the *New Testament* to be due *Jure Divino*. First, in regard there is no repeal of *Tythes* in all the *New Testament*, which
shews

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shews that our Lord left these in the same state as he found them, (excepting onely so far as concerned that Priesthood which was to be abolished) so far as they were Gods Right, and an acknowledgement of his Supremacy and Bounty ; so far as they were Moral, and a necessary Provision for his Ministers ; so far as they were founded on the Law of Nature, and Primitive Revelation , and grounded on an Eternal Reason, our Saviour did not revoke them ; no, nor any thing else so established: And if *Tythes* had been the only thing of this kind to be abolished, it seems necessary there should have been an express Revocation of them ; which we are sure, there is not ; and therefore *expressa nocent, non expressa non nocent* (t). And we may reasonably believe, That *Jesus* intended they should remain of Divine Right as they had been reputed alwayes before. Secondly, But this is not all, for there are positive Laws which do fairly intimate, that *Tythes* were to be

(t) Reg.
jur. 195.

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be the Maintenance of the Gospel-Ministers, when the Church was settled. For besides our Saviour's affirming *Tythes* ought to be paid, *Math.* xxiii. 23. *The Double Honour*, or the Elder Brothers Portion due to the *Presbyters*, *1 Tim.* v. 17. The Order for a Bishop to be given to *Hospitality*, which cannot be maintained without a large Income, *1 Tim* iii. 2. The remark of *Melchisedec's* receiving *Thythes*, of whose Order *Christ* and the Gospel-Ministers are, *Hebr.* vii. I say, besides these (which plead only a probability) there are two plain places; first, that of *S. Paul*, *1 Cor.* ix. 14. affirming, That like as the *Jewish* Priests and *Levites* lived of the *Tythes* and Oblations under the Law, even so there was a special Ordinance of *Christ*, *οὕτω ὁ κύριος διέταξε*, (either by word of mouth, or Revelation) *That they who preach the Gospel should live of the Gospel*: that is, of those good things which should be dedicated and offered in gratitude for the Gospel. For this word *εὐαγγέλιον* signifies

(u) *Med.*
Diatr. in
loc.

nifies not onely a Good Message, but the Reward given for it, as well in *LXX. 2 Sam. iv. 10.* as in other Authors, as Mr. *Mede* hath fully proved (u). And the Blessed *JESUS* who ordained this, did incline the hearts of Pious *Christians* to dedicate *Tythes* and other Oblations, made in gratitude for the Gospel. And now that such Dedications are made, we enjoy them as well by the Ordinance, as the Grace and Providence of *Christ*, and therefore *Jure Divino*. What was given in acknowledgment for the love of *Jesus* shewed in the Gospel, was *Jesus* his Part; and he (who hath now all power given him in Heaven and Earth) hath here assigned his and his Fathers Part to the Ministers of the Gospel; and this Assignment gives them a Right thereunto *Jure Divino*. But secondly, Lest any should say, This Text supposeth something will be given, but doth not enjoin the *Christians* to give, We have another Law directed to the People, containing both their Duty,

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Duty and the Ministers Right, *Gal. vi. 6. Let him that is taught in the Word communicate unto him that teacheth in all Good things.* Gr. κοινω-
νείτω — ἐν πᾶσι ἀγαθοῖς. *that is, Let the Christians make the Ministers of the Gospel partakers or sharers with them in all their Goods.* For [κοινωνεῖν] signifies to distribute or give some part to another, so that he may participate with us. *Rom. xii. 13. Phil. iv. 15.* and [ἀγαθὰ] signifies Earthly goods *Luke xvi. 25.* Yea, the Fruits of the Earth are called [τὰ ἀγαθὰ] *Luke xii. 18.* and hence *Beza* interprets it [*Ex omnibus bonis*]. Now surely *T. E.* will not say, We have no other *Goods or good things* but Meat and Drink: If we be so poor, some excuse may be made; but if we have any other *Good things*, Corn, Hay, Wool, increase of Flocks and Herds, &c. we must not appropriate them all to our own use, but we are enjoined [κοινωνεῖν] to distribute some part of all these *Good things* or *Goods*, to God's Ministers. Some part he
F must

must have of all our *Goods*, and in all reason that part ought to be the *Tenth*. For a Tenth was given by the Patriarchs before the Law : a Tenth (at least) by the *Jews* under the Law : This was the Part which God made known to be his by Revelation ; the part which the *Heathens* had learned by Primitive tradition to dedicate to their Gods : The Part which God approved in the *Jewish* Polity, and which *Christ* never disapproved. The Tenth was a part so reasonable and so known, so acceptable to God, so acknowledged by Men, and so certainly due to God before, that there is no reason to doubt but that this is the share or portion of Gospel-Ministers. And so good Men of old understood it to be, and therefore communicated this Tenth Part to God and his Ministers ; and therein both expounded and obey'd this Apostolical Injunction. The People must Communicate, and that to the Gospel-Ministers ; and they may claim *Jure Divino* to have

a part of all their *Good things*; even the same part which was alwayes known to be God's Part, and so need not be particularly expressed here. There is but one Objection against this, *viz.* That *Tythes* are not mentioned in the Gospel or Epistles to be the very Part: To this therefore I reply, thirdly, There are very good Reasons why *Tythes* are not mentioned in the New Testament by Name; *viz.* First, To avoid all occasion of scandal to the *Jews*, whose Priests were then in possession of them; and though the *Synagogue* was dead, yet it was to be decently buried; whereupon many things were suffered a while to run in their old Channel, till the whole *Jewish* Polity was destroy'd. And it would have been used as a prejudice to the young beginnings of the Gospel, if the Preachers had presently claimed the Maintenance, which others were legally instated in. And we see in *S. Paul*, *1 Cor. ix.* that even where they had a right and authority, in the first and unsettled

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times of *Christianity*, they did forbear to use it, that they might avoid offence. Secondly, Nor was there any need for *JESUS* to make any new Law for *Tythes*, since they were sufficiently declared to be due to God before, by Revelation, and Example, by Reason and Gods own choice; by the grounds on which they were given, and the ends for which they were employ'd. The World knew there was a *Jus Divinum* to the tenth part; so that our Lord was onely to declare what Priests it was to be paid unto, and who were to be his Receivers. And this he doth, 1 *Cor.* ix. and *Gal.* vi. And thus it was in the case of Gods part of our Time under the Gospel, as well as of his part of our Estate: One day in seven being sufficiently declared to be Gods part, *Jesus* made no new Law about that at all; but left it on those firm foundations upon which he found it settled. For, all which our Lord was to alter, was not in the proportion, (for a seventh part is still required) but in the

Afflig-

Assignment of the day ; and even for that he made no expresse Law, but 'tis likely privately instructed his Disciples herein ; who brought in the Sunday Sabbath into the Church, by Example rather than Constitution: And by degrees they did establish it, carrying in the mean time so fair a respect to the *Jewish-Sabbath*, that for many years they observed both the *Saturday* and *Sunday* also. Thirdly, Our Lord and his Apostles did not make a new Determination of the Tenth part by Name, because the Devotion of the *Christians* in those dayes was so great, that they gave more than a *Tenth* freely, selling all and following *Christ*, and bestowing on the Apostles more than they were in a condition to receive. And as it were impertinent to make a Law for that Man to spend one day in seven religiously, who spends all his very Week dayes in Devotion and Religion ; so it was in this case, our Lord *JESUS* might expect that the joyful Message of his Gospel should be so thankfull recei-

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ved, that those to whom it was sent, should do as much freely to the gratifying his Messengers, as the servile *Jews* did by the compulsion of a positive Law. And he fore-saw that his Grace would open the hearts of Kings and Princes, and other devout Persons, to give more than a *Tenth* part of their good things, to those in his Name, and for his sake, who were sent to preach the Gospel, *Isa.* lx. 5, 6, 7, 8, 9, &c. And this accordingly came to pass: for though our narrow-spirited *Quakers* think the smallest matters too much to be contributed to God's Service; those Noble and large Souls thought the greatest gifts too little in acknowledgement for the Mercies of the Gospel. And since such times were coming, our Lord might probably on purpose decline determining the proportion too expressly, that *Christians* might have the opportunity of a voluntary Charity, and as *S. Paul* speaks, might *not do it grudgingly or of necessity*; because *God loveth a chearful giver*, 2
Cor.

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Cor. ix. 7. And this was more agreeable to the freedom and ingenuity of Sons, which *Christians* are compared to. And positive Laws were likely to be made when the decays of Piety and Charity did require them. Fourthly, I add, That the state of the Church in those dayes was such, that Believers, though they were willing, could not have opportunity to pay *Tythes* regularly; nor could the Gospel-Ministers receive them. And as it was no prejudice to the *Jewish-Priests*, that there was little or no *Tythes* paid during their Fore-fathers wandring in the Wilderness; no more is it to us, that they were not paid regularly in the times of Persecution. Finally, our Lord *JESUS* and the Apostles said so much in the New Testament, that the Primitive *Christians* understood them to intend *Tythes* for the Gospel-maintenance; and they said enough to shew, that the Ancient Divine Right to the Tenth part should be continued, and the Gospel-Ministers should be the Re-

F 4 ceivers

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ceivers of it : And it was neither necessary nor convenient they should speak more plainly in this matter : This being sufficient to establish the *Divine Right of Tythes* under the Gospel, and to teach us that *Tythes* being originally due to *God*, and by *Christ* assigned to the *Gospel-Ministers*, are now due to them *Jure Divino*.

§. 12. Now this *Divine Right* is much confirmed by the *Voluntary dedication* of the *Tenth* part to *God* by the *Christians* afterwards. For what a Man dedicates to *God* and his Service, *God* hath a *Right* to it by that Dedication, though it were a thing which was no way appropriate to *God* before, *Acts* v. 3, 4. *Num.* xxx. 2. As you do very well say in the *Conference* : *That if Tythes were not due by Divine appointment, this Dedication will make them due.* Which the *Quaker* fancies to be a Relinquishing of the *Divine Right*, most maliciously inferring, pag. 287. That he perceives, though *Christ* deny them, yet if Men will

will grant them, it is enough to serve our turns. I know you never said nor thought that *Christ* denyed *Tythes*, and since the *Quaker* affirms, that *Christ* doth deny them, let him produce the place of Scripture where *Christ* doth deny *Tythes* to be given or granted to *Gospel-Ministers*, or else he is a manifest Slanderer of *Christ* in this suggestion. But to proceed: You did prove this *Voluntary dedication* (with respect to this Nation) by King *Ethelwolph's Charter*. Not because that was the first or oldest Donation of *Tythes* (as *T. E.* foolishly and falsely suggests p. 299.) for there were elder Dedications of *Tythes* than this, as well in this Nation as in other parts of *Christendom*, as you intimated in the *Conference*, when you said, *That as to this matter there was abundant satisfaction to be had, by consulting Antiquaries and Church-Histories, but especially by King Ethelwolph's Charter, &c.* 'Tis plain you knew there were other evidences, but you instanced in this as the fullest, (to this pur-

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purpose, and for this Nation,) which remains at large upon Record. And because the *Quaker*, dreading all higher Antiquity, and omitting all Inquiry into preceding *Church-History*, doth cunningly suppose *Tythes* no older among *Christians* than this *Charter*, or however to have arisen from *Popery*, and accordingly bends all his force to evacuate this *Charter*, and prove those times *Popish*; I shall crave leave to lay open his weakness and lamentable mistakes in this following Method, which will continue the account of *Tythes* I have begun, baffle the Adversary I have undertaken, and free you my worthy *Friend* from his aspersions.

First, I will look back into the Ages before K. *Ethelwolp*, and shew by what Authorities and Presidents he made this *Donation*. *Secondly*, I will consider the *Donation* it self, and the state of those times in which it was made. *Thirdly*, I will note how it hath been confirmed since. And then *fourthly*, wipe off *T.E*'s particular

Blots

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Blots thrown upon this *Sacred Maintenance*.

§. 13. *First*, To look back into the Primitive Times: The *Apostles* having given a general Rule for the *Faithful* to communicate unto their *Teachers* in all good things; the Primitive *Christians* did alwayes make liberal *Oblations* to their *Pastors*, not only of Houses and Lands as we read in *Holy Scripture*, but also of Money and other things; *which being collected every Lords day was delivered to the Bishop*, saith *Justin Martyr* (x). (x) *Just. Mart. Apol. 2. An. 150.* But not to expatiate into the whole *Maintenance* of the *Christian Bishops* and *Priests* in the first Ages, which was so plentiful that they had enough for themselves, and also for entertainment of Strangers, Relief of the Poor and suffering Brethren, and for furnishing *God's* Worship with all things necessary, even then when the *Christians* were so harrassed with Persecutions: I will come to inquire whether they had nothing in that *Maintenance* answering to *Tythes*; yea, whether

whether they had not *Tythes* given them, by a Voluntary Devotion. I will begin with the Testimony of *Irenæus*, S. Polycarp's Disciple, who was the Scholar of S. John, and lived *An. 170*. *We ought (saith he) to offer to God the First-fruits of his Creatures, as Moses saith, Thou shalt not appear before the Lord empty: for not all kind of Oblations are abrogated; there were Oblations among them, and there are Oblations among us (2).*

(2) *Irenæus*
advers. Her.
lib. 5. c. 34.

And a little after he saith, That as the Jews gave their Tenth, so the Christians gave all they had freely and chearfully to the Lords uses, not giving less than they, as having a greater hope. And here we must note, That these *First-fruits* which we find often mentioned in the Ancients as paid to the Christian Priests, were one sort of Voluntary Tythe, prescribed by Moses Law, being the first and best part of the Fruits of the Earth, offered solemnly to God by the owner: And if Tythes had been unlawful because they were spoken of in Moses Law,

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First-fruits must have been so also. But we shall see the very first *Christians* dedicated their *First-fruits* of all the Earths productions to God: And what was this but a *Voluntary Tythe*? Yea, I find the Names *First-fruits* and *Tythes* frequently joyn'd, as signifying the same thing; only the *Greek Churches* call these parts of the Earths productions 'Απαρχαι', which the *Latins* more usually term *Decimæ*. And it will be more evident that *First-fruits* among the *Christians* were but another Name for *Tythes*, when we hear what follows. The *Apostolical Canons* (which were the Decrees of divers *Christian Synods*, made in the times of Persecution, and of great Authority in the *Christian Church*) take notice of the *Christians* in those times, to bring their *First-fruits* to the place of Assembly, and by the Priest to offer them at the Altar; which looking somewhat like a Sacrifice, it was ordered, That neither *Honey, Milk, strong Liquors, Birds, nor living Creatures,*

- tures, nor any other sorts of Pulse, but only some of the first ripe ears of of Corn, and Grapes, should be offered at the Altar (a). But all other Fruits should be sent to the Bishop's house, as First-fruits for the Bishop and Presbyters (b). From whence it is plain, That those Christians did dedicate a part of all their Profits to God and his Ministers. And the ancient Greek Church hath an excellent Prayer, which the Priest said for those who thus offered their Tythes or First-fruits (c). And S. Gregory's Sacramentary hath another. In these times of Persecution also lived Origen, Anno 210. whose opinion concerning these Dedications of Tythes and First-fruits we heard before §.8. And out of the same Homily (d) we have transcrib'd these words, "It is an undecent, unworthy and wicked thing, for one that worships God and enters into the Church, and knowing that the Priests and Ministers wait at the Altar, serving either to the Word of God, or the Ministeries of the Church,
- (a) Apostol. Can. 3.
- (b) Can. 4.
- (c) Eucholo. pag. 655.
- (d) Origen. in Numer. Hom. 11.

Church, doth not offer to the Priests
the First part of those Fruits of the
Earth, which God gives by making
his Sun to shine, and his Rain to fall.
Such a Soul seems to me neither to
remember God nor think of him, nor
yet to believe that God gave those
Fruits, which he takes and layes up,
as if God had nothing to do with
them. And hence (as is noted be-
fore,) he concludes, the Law of Ty-
thes and First-fruits ought to stand in
force among Christians. To him
we may add S. Cyprian, who lived a-
bout 40 Years after, who commend-
ing the Nobleness of the first Christi-
ans, blames those "who did not
give the Tythes out of their Inheri-
tance (e). Which he would not *(e) Cypri. de*
have done, but that he believed *Unit. Eccle.*
Christ intended Tythes for the mainte-
nance of a Gospel-Ministry. To this
we madd the Testimony of that an-
cient Book which bears the name of
Clement's Constitutions (f): Let all (f) Lib. 8.
the First-fruits be delivered to the Bi- *cap. 30.*
shop, and to the Presbyters and the
Dia-

Deacons. So that we see *Tythes* and *First-fruits* were paid and thought lawful even in the times of Persecution; and since no Humane Law enjoin'd them, they must needs be mov'd hereunto by esteeming them due by God's Law. But we proceed to consider the Opinion of the succeeding Times; and (to omit the less considerable) *S. Ambrose* is very plain:

"It is not (saith he) sufficient for us

"to bear the name of Christians, if we

"do not the works of Christians; now

"the Lord commands us to pay our

"Tythes yearly of all our Fruits and

(g) *S. Ambr.* "Cattel (g). And again, saith he, (h)

Serm. 33. in "What is it faithfully to give Tythes?

Quadrag. "but that we never give the worst or

(h) *Id. Ser.* "least parts to God of our Grain, our

34. *An. 380.* "Wine, of the Fruits of our Trees, of

"our Flocks, our Garden, our Mer-

"chandise; yea, of our very Hunting,

"because of all the substance which

"God gives a Man, he hath reserved

"the Tenth part to himself: and there-

"fore it is not lawful for a Man to re-

"tain that which God hath reserved

"to

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"to himself. *Epiphanius*, his contemporary, a Bishop in *Cyprus*, saith:
 "The Scripture exhorteth the People,
 "that out of their just labours they
 "shall give to the Priests for their
 "maintenance, First-fruits, Oblati-
 "ons, and other things (i). Note (i) *Epiphan.*
 still the Greek Fathers call the same *Panar. lib. 3.*
 thing First-fruits which the Latin *to. 2. bar. 80.*
 call Tythes. Only in *S. Chrysostom*
 we find both words: for this great
 Patriarch (who is a zealous opposer
 of all Jewish Ceremonies, yet) af-
 firms, "It is lawful and sitting for
 "Christian to pay Tythes (k). Yea, (k) *Chrys. in*
 he saith *melchisedec* was our Tutor *Gen. Hom.*
 in this matter. *S. Hierom* also in *35. & in Ep.*
 many places declareth they were ge- *ad Hebr.*
 nerally paid in his time. He tells us, *Hom. 12.*
 "That as a Priest or Levite, he himself
 "lived upon Tythes and Oblati-
 "ons (l). And again, under the name (l) *Hieron.*
 of First-fruits, "The First-fruits, *Epist. 2.*
 "saith he, (m) of all our Provisions (m) *in Ezek.*
 "are offered to the Priests, so that we *45.*
 "taste nothing of New-fruits till the
 "Priest hath first tasted thereof; and
 G "this

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*“ this we do, that the Priest may lay up
 “ our bounty and Oblation in his house,
 “ so that through his prayers God may
 “ bless our houses. Hence he affirms
 the Law for Tythes doth oblige Chri-
 stians as to the Substance, as was no-
 ted before. And he calls Tythes, the
 (n) Id. in things that be God’s (n). Yea, he
 Matth. 22. adviseth the Clergy that are in the
 Towns, to send part of their Tythes
 to those who served God in desert
 places: which plainly proveth they
 were paid to the Priests in his dayes.
 S. Augustin (who next follows) is full
 in many places of his Works for the
 proof of this: And he intimates, it
 was no new Custom nor Opinion to
 to pay Tythes as God’s due. “ For
 “ our Fore-fathers (saith he) there-
 “ fore abounded in all plenty, because
 “ they gave God his Tythes and Cæ-
 (o) August. “ far his Tribute (o). And again:
 Hom. 48. “ Tythes are required as due debt, and
 “ he that will not give them invades
 “ another Mans Right ——— Whatso-
 “ ever Art sustaineth thee, it is God’s:
 “ and he requireth Tythes out of what-
 “ soever*

"soever thou livest by: May not God
 "say, The Man that I made is mine,
 "the Seed that thou sowest is mine,
 "the Cattel that thou weariest in thy
 "work are mine, the Showers, the Rain
 "and the gentle Winds are mine, the
 "heat of the Sun is mine—— and thou
 "that lendest thy hand deservest only
 "the tenth part,——but God gives us
 "a liberal reward for our pains, re-
 "serving only the Tenth part to him-
 "self (p). The whole Sermon is (p) *Aug. de*
 most worthy to be read, and is tran- *Temp. Ser.*
 slated into English, in Sir Henry Spel- 219.
man de non Temerandis Ecclesiis: be-
 ing an evident Proof of the Ancients
 opinion that Tythes were of Divine
 Right; which I might further prove
 by many more Instances: But I will
 end these Testimonies of single Emi-
 nent Fathers, with that of Prosper of
 Aquitain, who speaking to the Clergy
 of his dayes, saith, "We do willing-
 "ly receive the daily Oblations and
 "Tythes of the Faithful, and shall we (q) *Prosper.*
 "lay aside the care of the Flock (q)? *de Kit. Con-*
 Now I hope the Quaker will not say *templ. lib. 1.*
 c. 21.

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all these were *Papists*; or that the Church was *Popish* as early as *Irenæus* and *Origen*: and if not, then he must recant his false Assertion, That *Tythes* came in with *Popery*. But to go on: In the next place we will shew, That the Decrees of Councils did confirm our Assertion, *That Tythes are due jure Divino*. And first, let it be noted, That though it be certain *Tythes* were paid from the earliest dayes of *Christianity*; yet it was not for a long time directly enjoyn'd by any Humane Law, either Ecclesiastical or Civil: which shews the first *Christians* believed they were obliged to pay them by the Law of God. And according to S. *Augustin's* Rule, viz. [“*That such things as were universally observed, and owed not their beginning to any Council, were to be thought to have been ordained by the Apostles*”] *Tythes* and *First-fruits* must at least be of *Apostolical* Institution. I find indeed many Ancient Councils suppose them to have been paid, and ordering how they should be

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be distributed by the Bishops: as *Can. Apostolic.* 38, & 41. *Concil. Gangrenf.* *Can.* 7 & 8. *An.* 324. where they are called [*καρποροείας Ἐκκλησιαστικῆς*] *Ecclesiastical Tribute of Fruits*: And *Concil. Antiochen.* *Can.* 24, 25. *An.* 341. where we read of [*τὰς πόδας τῆς Ἐκκλησίας ἢ τῶν ἀγρῶν καρπὸς*] *the Profits of the Church, or the Fruits of the Fields*. And also in the Canonical Epistle of *S. Cyril of Alexandr. to Domnus*, where we find mention [*πρεσβύτων Ἐκκλησιαστικῶν*] of *Ecclesiastical Revenues*, &c. Among all these Instances, that of the fore-mentioned Council of *Gangra* deserves more largely to be described, as containing a full proof of the Ancient Donation of this Tribute of Fruits to the Church. For, this Synod complaining of the several mischiefs wrought by the Schismatics of *Eustathius* his party, mention these among the rest: “*That*
“*they left the Houses of God, and con-*
“*temned the Church; holding private*
“*Conventicles, and teaching strange*
“*Doctrines there, as well against the*

“ Church, as those things that were
 “ done in it : and despising the usual
 “ Garments, did put on new and
 “ strange Habits : And then they add,
 “ The Ecclesiastical Tribute also of
 “ Fruits, which of old time was given
 “ to the Church, they challenge to them-
 “ selves, and those with them, as be-
 “ ing Saints (r). For which, and o-

(r) *Bevereg.*
Concil. To. I.
p. 416. Conc.
Gangrenf.
Bin. ibid. p.
376.

ther *Quaker*-like practices, the Synod pronounces them to be accursed. In this and the fore-cited places it appears, That *Tythes* and *First-fruits* were given to the Church long before the Year of *Christ* 324. and paid by the People without any Laws to compel them so to do : And the first Law which directly enjoyns them, is the Decree of a *Roman Council*, Anno 374. commanding, That *Tythes*

(f) *Concil.*
Tarracon.
Ann. 516.
Cone. Aurel.
I. An. 520.
Conc. Brita.
sub S. Patri-
gio, &c.

and *First-fruits* should be paid by the Christians, and they which withheld them should be anathematized. But there is some question whether that Council be genuine or no ; I shall therefore omit this, and all those other Councils (f) which suppose them

them, but do not enjoyn them ; and take notice, that the first positive Ecclesiastical Law was made in the Council of *Matifcon*, almost 300 years before K. *Ethelwolph's* Donation, Anno 560. whose words do fully prove our Assertion, of their having been paid from the beginning *jure Divino*. For thus that Council speaks (t): “ *The (t) Concil.*
 “ *Divine Laws taking care of the Matisc.*
 “ *Priests and Ministers of the Churches, Can. 5.*
 “ *for their Inheritance, have enjoyned*
 “ *all the People to pay the Tythes of*
 “ *their Fruits to Holy Places ; that be-*
 “ *ing hindered by no labour, they may*
 “ *more duly attend Spiritual Ministe-*
 “ *ries : which Laws the whole Com-*
 “ *pany of Christians have for a long*
 “ *time kept inviolate : wherefore we*
 “ *decree and ordain, That the Ancient*
 “ *Custom be observed still among the*
 “ *Faithful, and that all the People bring*
 “ *in the Tythes, which maintain the*
 “ *Worship of God.* And the like De-
 cree was made in *Spain* about thirty
 years after, in the first Council of *His-*
palis, An. 590. under the Famous

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Bishop *Leander*, (the Reformer of that Nation from *Arrianism*), "*We*
 (u) *Concil.* "*ordain, say they (u), That all the*
Hispal. ap. "*Fruits and Tythes as well of Cattel*
Ivon. p. 2. "*as of Fruits, be rightly offered to*
c. 174. "*their several Churches, by Rich and*
 "*Poor, according to the saying of the*
 "*Lord by the Prophet, Bring ye all*
 "*the Tythes into the Store-house,*
 "*&c.— For as God hath given us*
 "*all, so of all he requireth Tythe, of*
 "*the profits of the Field, and all Pro-*
 "*visions, of Bees and Honey, Lambs,*
 "*&c. And he that pays not Tythes of*
 "*all these, is a Thief to God himself.*
 On which we may note, they all de-
 clare *Tythes* to be *due jure Divino*. It
 would be too tedious to add the nu-
 merous confirmations of these *Canons*,
 which were made afterwards in the
 Councils of *Toledo, Bracara, Mentz,*
Colen, &c. besides our *English Coun-*
cils, of which more hereafter. Now
 we will briefly observe what the *Laws*
 of other Kings and Emperours had
 done, as to this matter, before King
Ethelwolp's Time. The Famous
 Con-

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Constantine the Great, being settled in his Empire ; “ *In the Lands under his Dominion, out of every City, he gave a certain Tribute, to be distributed among the Churches and Clergy of the Provinces, and confirmed this Donation to stand for ever* (x) It (x) *Hist. Trip. l. 1.* were endless to relate all the Constitutions of Pious Emperours, either *c. 10.* to enlarge the Revenues of the Church, to preserve its Liberties, or to secure the Donations made by others. Let that one Law which is so full for the *Divine Right of Tythes*, serve instead of many Instances. “ *The Tythes by God’s Command are separated for the Priests, that they which are of God’s Family may be sustained by his Portion, and therefore they cannot by any Humane Priviledge be given to Lay-men ; lest the Supreme Authority should therein prejudice the Divine Commandment* (y). (y) *Cod. l. 7. Tit. de Præbendis, tit. eod.* But to come still nearer to King *Ethelwolph*, he might know how the Religious King *Riccardus*

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redus had confirmed the Decrees of the first Council of *Hispalis* about paying *Tythes*, *An.* 590. Nor could he be ignorant what (that most glorious Prince of his times) *Charles the Great*, (Emperour of the West,) had done in settling *Tythes* on the Church about 100 years before King *Ethelwolph's* Donation. This Emperour was so far from Idolatry, that he called a Council to condemn the use of Images, and writ against them himself: And yet he in an Assembly of all his People offered and gave all his *Tythes* to God and his Ministers in a most solemn manner, and obliged all his People to do the like. And the form of the Dedication, with the Curses against the Infringers thereof, is set down at large in the Capitulars of *Charles the Great* (z). And indeed before the time of King *Ethelwolph*, *Tythes* were settled on the Church in most parts of the *Christian* World, even by Civil and Ecclesiastical Constitutions, as well as Voluntary Donation, and all grounded on this

Prin-

(z) *Wormat.*
l. 6. p. 285.

Principle, That *Tythes were due jure Divino*. But it may be our *Quaker's* ignorance may perswade him that *Ethelwolph* was the first who gave Tythes in this Nation; and I perceive all along he dates the very Birth of *Tythes* in the year 855. Wherefore I will shew him that he is miserably mistaken in that also. Our Famous Lawyer *Fleta* expounding the word [*Church-esset,*] saith (a), "*It signifies (a) Lib. 1. a certain Measure of Corn which e- cap. 17. very one of old gave to the Holy Church, about the time of S. Martin's Feast, as well in the time of the Britains as the English. Adding, that it was after called First-fruits. So that by this Account, there was a kind of Tythes paid by the Britains before the coming of Austin: For the Saxon word Ciric-sceat signifies the Tribute of the Church. Or else Ciric-set or sat, that is, The Church-seed, as Mr. Lambert expounds it. And also Malmsbury (b), calls it The (b) Lib. 2. First-fruits of the Seed. Another old de gest. Reg. MSS. in Spelman, The First-fruits of c. 11. the*

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the Seed belonging to the Church of that place where a Man dwells. And Lindenbrogius calls it, A Tribute of Corn out of the Fields. I give the larger Account of this, because that above 160 years before King Ethelwolph's time, one of his Predecessors, King Ina, had made a strict Law about this matter: "Let the Caric-sceat be paid on the Feast of S. Martin, (saith he) and if any Man neglects it, he shall forfeit sixty Shillings, and restore his Caric-sceat twelve times over (c), Anno 692. It seems that here in England, as well as in other Christian Countries, the People had paid it voluntarily before: And it was some decays of Piety, that occasioned these Laws. Now if T. E. desire to have the Name of Tythes, as well as the thing, among the Ancient Saxons, he may find in the Epistle of Boniface to Cuthbert Arch-Bishop of Canterbury (d), Ann. 745. "That the English Priests in those dayes were maintained by the taking the Daily Oblations and Tythes of the Faith-

(c) Spelm.
p. 192.

(d) Apud
Spelm. T. 1.
p. 240.

“Faithful. Moreover, about the year 750. Egbert Arch-Bishop of York, of the *Saxon* Blood-Royal, made a Collection of all Canons that were made in the Councils before his time, and which were in force in *England*. And these Collections seem to have been a *Compendium* of the Canon-Law among the *Saxons*. Now among these Canons there is frequent mention of *Tythes*: viz. “That the
 “People be instructed in the right manner of offering them to God’s
 “Church, Can.4. That the Priest shall
 “take them, and set down the Names
 “of those who gave them, Can.5. That
 “the People should not change that
 “which fell out to be the Tenth, Can.
 “99. That the Lord requires Tythes
 “out of that which we get our living
 “by, Can.100. Again, in the Council of
Chalcuth, A.787. “All Men are strictly
 “charged to give Tythes of all that
 “they possess: Because it is the Pro-
 “priety of the Lord God, or the Part
 “that specially belongs to him, Ca-
 “non 17. If it be inquired what
 Laws

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Laws our Princes made in this matter: Not to mention all those Charters which from the first beginning of *Christianity*, do confirm all the Liberties, and all the Revenues of the Church (among which were *Tythes*) we will only note, that *Ethelbald* King of *Mercia*, *An.* 794. confirms to all the Clergy of his Kingdom, the Liberty which they had out of the Woods, the Fruit of the Ground, and the taking of Fish. And this (being after that Epistle of the *German Boniface*, which assured us *Tythes* were then enjoy'd by the Clergy) must be meant of *Tythes*. Again, *K. Offa*, (who had with all his Clergy condemned the Adoration of Images, and so was no Idolater,) *An.* 793. did give the *Tenth* of all that he had to the Church. By all which it appears, That from the time of the first general Conversion of the *Saxons*, *Tythes* were generally paid by the People, and received by the Clergy, even before any special Laws were made about them. And when Councils or Princes did make any

any

any Laws about them, they always do suppose them paid before. So that King *Ethelwolph* in this Donation doth rather confirm the Right of Tythes, than originally make them due. And it is to be noted, that till this time, the *Saxons* being divided into so many petty Kingdoms, were in continual broiles; and there was no one King who had power to collect all the scattered Laws about Tythes, and confirm them for the whole Kingdom of *England*, till he, who was the first Hereditary Monarch of the *Saxon* Blood. He therefore, guided by these forreign Authorities and Examples, and led by the Custom, Canons and Laws of the several petty Kingdoms and Kings, doth now make this most famous Charter, to oblige the whole Kingdom to this Religious Payment, whose rise and original we have thus far seen.

§. 14. 2^{ly}, As to the Donation it self, the immediate occasion of it was the Compassion of this Religious and mild Prince towards his Subjects, forely

forely infested and harraſed with the *Daniſh* Invaſions. Whereupon he ſummons a General Council of all *England*, at *Wincheſter*, Anno 855. wherein were preſent *Beorred* King of *Mercia*, and *Edmund* King of the *East-Angles* (his Tributaries) with the Arch-Biſhops of *Canterbury* and *York*, and all the Biſhops, and the Nobles of *England*: with whom King *Ethelwolph* conſulted by what means they might beſt avert the anger of God, and obtain a removal of the ſore Judgements with which the Nation was ſcourged at that time. Whereupon it was by general conſent there determined, That the *Tythes* throughout all *England* ſhould be granted to God and the Church; as this Charter of K. *Ethelwolph*, yet extant in Ancient Hiſtorians, doth teſtifie: which was ſubſcribed by the two Tributary Kings, the Biſhops, Abbots, Dukes, Earles and Noble-Men: and conſented unto by an infinite Multitude of other faithful People, ſaith *Ingulphus*.

§. 15. 3^{ly}, But lest there should be any defect in this Charter, we will shew how it hath been confirmed since in all Ages. First, it was confirmed in that famous League between the *Danes* and *Saxons*, by *Alfred* or *Alured* the Great, Son of *Ethelwolph*, and *Guthum* the first Baptized King of the *Danes*, *An.* 887. and a Penalty added for such as should detain their *Tythes* (e). And again, by *Edward* (e) *Leg: the Elder*, who was Son of *Alured*, *An.* 906. And again, by *Athelstan*, (Son of the said *Edward*,) in the Council of *Gratelande*, *An.* 928. *Tythes* also, by the Name of [*Decimas seminum Primitias*], are again enjoined by *Edmund* Brother of *Athelstane*, in a great Council of the Clergy and Laity at *London*, *An.* 944. King *Edgar* in open Senate renewed the Law for *Tythes*; and made it a forfeiture of Nine parts to detain the *Tenth*, *An.* 967. And in his Canons he calls *Tythes*, [*Things which by Right are to be paid to God*] As they are also by *Ethelred* [*The Rights due to God*] when he confirmed

H ed

(e) *Leg: Eccles. Alured & Guth. c. 9.*

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ed the *Donation of Tythes* in the General Council at *Ænham*, *An. 1009*. The same ratified also by *Canutus*, and King *Edgar's* Penalty revived, *An. 1032*. And lastly, by King *Edward the Confessor*, in those Laws of his which were collected and confirmed by King *William the Conqueror* at his Entering upon the *English Crown*; as all other Kings of *England* since have done. The particulars are too many to mention, and the Thing is sufficiently known. Wherefore we will only add, that the very first words of *Magna Charta*, (the foundation of the *English Liberties*,) confirms all that had been given to the Church. And Sir *Hen. Spelman* affirms, these Grants had been ratified in thirty nine several great Councils and Parliaments before the Reformation. And we all know, that our Protestant Princes have confirmed the Right of *Tythes* as fully as any of their Predecessors; and with their Protestant Parliaments have given greater strength and security to the Clergy in
pos-

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possession of them, than ever they had before ; and made better Laws for punishing those who do detain them. Now if all this, added to the antecedent *Divine Right*, will not amount to make a valid Deed of Gift, then no Man can secure any thing to his Posterity. For this Donation hath been advised by Fathers, enjoined by Councils, practised by foreign Princes, solemnly made by the general Consent of the three Estates with the King, frequently confirmed by as general Consent in every Age, and the benefit thereof enjoyed for 800 Years by those to whom the Donation was made. And thus the Clergy have a second Title to the Tythes : They were originally due to God, and afterwards freely given by the right Owners, and that Gift confirmed by their Posterity. Due by the Laws of God, due by the Gift of the Owners, and allowed by the Laws of Man : which being thus far proved, I hope our *Quaker's* trifling Objections will now easily be dispelled.

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§. 16. Three general Exceptions T. E. takes at this Charter. First, In respect of the *Author* of it, pag. 289. And here he affirms King *Ethelwolph* was a *Papist*. If T. E. had known what gives a Man the just denomination of a *Papist*, he would not have discoursed so absurdly : For it is not every one that agrees in some opinions with the *Roman Church*, who is a *Papist* ; since then all *Christians* in the World would be *Papists* : but he is a *Papist*, who professes himself a *Member* of the *Roman Church*, and acknowledges the *Pope's Supremacy*, believing all the Articles of the *Roman Churches Faith* : Now K. *Ethelwolph* did never profess himself a *Member* of the *Roman Church*, but he and his Successors were *Vicarios*

(f) *Leg. Christi* (f), owning no Supreme in their Kingdoms but *Christ*, as is learnedly made out against the *Papists*, in Dr. *Bastre's Liberty of the Britain Church*, and Sir *Roger Twisden's Histor. Vindication* : and we shall fully prove on pag. 300. that he did not

(f) *Leg. Christi* (f),
Hydens.
cap. 8.

not hold *all* the opinions of the Church of *Rome*, and therefore was no *Papist*. But if we should grant so much to the *Quaker*, That *Ethelwolph* was a *Papist*; yet neither would that make his Donation of *Tythes* void: For an erroneous Opinion in the Person who doth a thing good in it self (as we have proved *Tythes* to be) doth not make the Act void. And if all the good Acts of *Papists* (in the true sense) and all their Charters and Donations be void, meerly because made and done by *Papists*; then all the Charters of our Kings, all the Endowments of Hospitals and Schools, *Magna Charta*, and all Publick Acts for some hundreds of years before K. *Henry VIII.* would be void: Which Principle would destroy the Maintenance of the Poor, the Privileges of Cities, and the Freedom of all *English* Subjects. But this *Quaker* must be more wary than thus to unhinge all Establishments; and let him note, That if *Ethelwolph* had been a *Papist* in *other things*, yet in this Act

he was none, unless *Abraham* were a *Papist* before *Christ's* time, and *Ori-gen* with the *Fathers* afterwards; yea, unless our Protestant Princes and Parliaments be *Papists* also.

§. 17. Secondly, he objects, p. 290. *That Tythes were given to maintain the Popish Clergy*]. This is a mistake also; for *Ingulphus* saith, "*Univer-*
"*sam dotaverat Ecclesiam Anglica-*
"*nam* : it was for the Maintenance of the *English* Clergy, who had a Patriarch of their own in those dayes, and were a Church of themselves, not holding all the opinions of the *Roman* Church, nor professing any Canonical obedience to the *Pope* (which was first done by *Ralph* Arch-Bishop of *Canterbury*, Anno 1115.) and therefore they cannot justly be called a *Popish* Clergy. But suppose again, the *Saxon* Priests had been *Papists*; that would not have made a Donation of Tythes invalid: because Tythes are God's Right, and the Grant was intended to God (g). The Clergy of that Age were God's only publick Mini-

(g) *Ad ser-*
viendum Deo
soli, Ingulph.
Deo contulit.
Math. West.

Ministers (and the *Quaker's* private Teaching was not then invented); the Donors supposed them a good Ministry, and as such endowed them, for they esteem'd them to be God's Receivers : and since there is no fault in God, if there had been a fault in the Servant, that could not prejudice the Master's Title. Besides, Almighty God hath now provided himself of Ministers that are no *Papists*, but the most considerable Enemies to *Popery* in all the World ; so that if they had been a *Popish* Clergy, and forfeited their own Right, they could not forfeit ours; and yet it is from a Protestant Clergy that the *Quakers* would take the Tythes. Again, *T. E.* must know, that erroneous opinions in the Clergy do not make void the Rights which they have by the Laws of God or Man : For the *Jewish* Priests in *Christ's* time were very erroneous in judgement, and yet *Christ* pronounces they had a Right to Tythes, even to those small *Tythes* not expressed in God's Law, but Dedicated by the

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Pharisees ; for, saith he, "*These things ye ought have done, Matth. xxiii. 23.*" so doubtless we may say, Though that Clergy were erroneous, yet *Ethelwolp* ought to have given them God's due, and the People ought to have paid it to them : If they were erroneous, neither Prince nor People knew it, and they did not give these to maintain their Errors (as *T.E.* maliciously insinuates) but to maintain that which they believed to be a good Ministry, and the true Worship of God : and therefore the Donation remains good. If I give alms to a poor *Turk*, *Papist* or *Quaker*, he is malicious who sayes I do it to maintain his Errors, when I do it to relieve his wants (*h*). However, will any plead, if I endow an Alms-house, and suppose the Beads-men to be good Men, but am mistaken, and after my decease it appears the Persons which were chosen were of evil Principles or wicked Life ; that this makes my Donation to be wholly void? We may say, such evil Persons ought to be put

(*h*) *Miseri-*
cordia solet
juvare pau-
perem, non
examinare
justitiam.
Ambros. de
Naboth.

put out, and better put in; but be the Persons good or bad, the Gift given to God stands good and is irrevocable.

§. 18. Thirdly, The *Quaker* objects, *ibid.* "That he did it upon evil motives. For the good of our Souls, and the forgiveness of our sins (are the words of the Charter); which shews it to be an effect of that Popish Doctrine of meriting Salvation by Good works, and that he gave this as an expiation for his sins.] 'Tis somewhat strange that T. E. should reckon both these for evil motives; and it is the first time that I ever heard it called an evil motive, to be moved to do a good work, "For the good of our souls. Again, the desire of Remission of his sins was a good motive in it self, onely he took an ill course to obtain it, if he sought Expiation by Good works; to merit pardon and salvation by good works, is now a Doctrine of the grosser *Romanists*, and I fear of some *Quakers* also, who (sighting the merit and necessity

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necessity of *Christ's* death) ascribe Salvation to the following the Light within; yea, *T. E.* himself pleads, that there is no Salvation unless we have a sinless perfection, and (as if *Christ* had never died) positively affirms, "Wheresoever there is sin, there is also condemnation, p. 97. Now he that looks for Salvation by his perfection, doth hold that *Papish* Doctrine of meriting Salvation by Good works; and he that proudly says, he hath no sin to be remitted, renders *Christ's* death as useless, as he that believes he shall obtain remission by his Good works. And therefore I doubt the *Quaker* will be found to be more a *Papist* than *K. Ethelwolph*: For this *Papish* Doctrine of Merit and Expiation by Good works is not so old as that Age; yea, the learned Bishop *Usher* proves, that this Doctrine was not received here in *Alsclm's* days; for in his Directions to those who visited the Sick are these Questions and Answers, "A. Brother, dost thou believe thou
"canst not be saved but by the
"death

"death of Christ? B. Yes. A. Give
 "him thanks for this with all thine
 "heart. B. I do. A. If the Lord would
 "judge thee, say, O Lord, I set the
 "death of my Lord JESUS between
 "me and thy Judgement, otherwise I
 "cannot stand before thee (i). Yea, (i) *Usher.*
 Pope Adrian our Country-man calls *de Succes.*
 Merits a broken Reed, on which if *Eccles. c. 7.*
 we lean, it will pierce our hand (k). *§. 21.*
 And 'tis evident from S. Bernard, *Du-*
randus, and others, that the Church *in 4. Sent.*
 of Rome it self was not for Merits in
 this gross sense, of 300 or 400 years
 after *Ethelwolph's* time: And for his
 words in this Charter, and some such
 like as are to be found among the
 most Orthodox Fathers, they mean
 no more, than that they hoped these
 good fruits meet for Repentance
 would be acceptable to God, so that
 he perceiving their purposes of well-
 doing, might of his great mercy be-
 stow that pardon on them, which
Christ alone merited: And hence the
 good King adds, that they gave these
 also, "That the Priests might so much
 "the

*“the more fervently pour out their
 “Prayers to God without ceasing for
 “them: So that we may perceive,*
 they did not think this good work
 alone could expiate their sins, or merit
 Salvation, without God's mercy;
 and to that end, they desired the daily
 and importunate Prayers of the
 Church for them, since they had learned
 from S. *James*, That the Prayers of
 God's Ministers were a good means
 to obtain Remission, *James v. 14, 15.*
 But let us here also suppose they
 were led by those evil motives
 which *T. E's* malice falsely lays to their
 charge; will he say, that all the Do-
 nations of *Papists* (who really are
 led by these Motives) are invalid
 to those to whom they are made? If
 so, then all the Schools, Hospitals, and
 other charitable Gifts of *Papish* Do-
 nation are void; which is a ridiculous
 Assertion. The giving any thing to
 a pious use upon evil motives, may
 endanger the Giver's losing his Re-
 ward in Heaven, but it will not de-
 prive the Receivers of the benefit of
 such

such a Gift on Earth; and if we might not lawfully enjoy a Gift, unless the Giver were moved by just and good motives to give it, we could scarce enjoy any Donation of *Papist* or *Protestant*; since we cannot certainly know whether they were induced to it by good or bad motives. We conclude therefore, That the *Quaker* falsely accuses our Ancestors, in calling them *Papists*, and their Clergy *Popish*, and in affirming they were acted by evil motives. And yet if all these had been as true as they are false, it had been hurtful only to themselves, but doth not at all make their pious Donations of Tythes to God and his Ministers to be void.

Some slighter Cavils he hath, p. 292, 293. As first, his calling the Clergy of that Age “*Apostates and corrupt*, for “being so grateful to their Benefactors, as to engage to sing *David's Psalms*, and to make Prayers twice a Week for them, that God would reward their bounty, and pardon their sins. ’Tis true, they called these Prayers

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Prayers [*Missas*] a name used very innocently and anciently by the *Latin* Fathers ; but these Prayers were far different from the *Missal* of the Church of *Rome*, whose Offices were first brought in here by *Osmund* Bishop of *Salisbury*, *An.* 1096. there being great variety before. Again, he quarrels with the *Charter*, for the Names of the Saints annexed to it, in whose honour it is said to have been made : But *T.E.* may note, that there is not one of the three Mentioners of this Clause that agree in it ; so that it is very probable, the Historians living some Ages after, might (as their manner is) put in this less material passage in the Phrase of their own Times, of which dealing in other cases I could give many Instances : however, it was given to God in the first place, and no mention of the Saints in all the body of the *Charter* ; and it is certain they did not worship the Saints in those dayes : and sure it is no great crime in the second place to give a respect and honour to them, even the
same

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same we do to such as are alive: But our *Quakers* despise all the old Saints, and think no Saints deserve so much honour as themselves. In the next place, he quarrels at you, for that you will not grant "*They gave Tythes in a blind and superstitious zeal;*" whereas we have learned from *S. Paul*, *It is good to be zealous alwayes in a good thing*, Gal. iv. Now I have made it evident, It is a good thing to grant Tythes to God's Service; and therefore though our Ancestors were blind and superstitious in other things, yet not in this Donation, herein their zeal was commendable. Again, whereas you had said, "*Tythes were given to God for the maintenance of his Ministry*", T. E. interprets this to be "*A calling the Idolatrous Priesthood of the Church of Rome God's Ministers;*" which is a malicious and false inference, since the Priesthood to whose maintenance these Tythes were given, was neither Idolatrous, nor the Priesthood of the Church of *Rome*; but it is certain
the

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the Donors intended them to the right Ministers of God ; and I make no doubt they were such to whom they gave them : and if there were some errors among them, that takes not away the Character of their Office, nor their Title to Tythes, since *Christ* himself declared, Tythes ought to be paid to the *Jewish* Priests, *Matth.* xxiii. 23. and sent *Judas* out to preach the Gospel.

§ 1.9. The *Quaker* proceeds p. 294, 295. to give us some proofs of his dishonesty, as he has done of his ignorance before; for whereas you affirmed, That “ *Tythes being given to God*
“ *for the maintenance of his Ministry,*
“ *no blemish in the Dedication of them*
“ *could alter their property:*] This being spoken particularly of Tythes, T. E. thus descants upon it, “ *His Assertion is so general* [*no blemish, &c.*]
“ *that nothing once dedicated, by*
“ *whomsoever, would seem to come a-*
“ *miss to him, not the offerings of the*
“ *Gentiles to their Heathenish Deities,*
“ *not the Turks endowments to their*
“ *Mahu-*

“*Mahumetan Priests, nor Judas his 30
“pieces of silver*]. Were these given to
the true God? or were these Offerings
Tythes? If they were not both of
these, why doth this *Quaker* mention
them here? or with what face can he
say your Assertion was general, when
you were speaking of a good thing
[*Tythes*] given to the [*True God*] and
that for a good end [*the maintenance
of his Ministry*]. Here are three limi-
tations, and yet he hath the impu-
dence to call this a general Assertion,
and parallel it with evil things, or
things given to false gods: But your
words I will stand to, and make it ap-
pear, “That such things as Tythes
“are, being given to the True God
“for a good end, no blemish in the
“Dedication can alter their pro-
“perty: Which I might prove by
the *Jews* receiving the Donations,
Charters and Oblations of the Hea-
then Princes of *Persia*, as we read in
Ezra and *Nehemiah*, as also the Gifts
and Presents which *Augustus Caesar*
made to the Temple at *Jerusa-*
I lem:

(k) Joseph. lem (k). But I will stick to your first Instance of the Censers offered by Korah's company, Num. xvi. These were by God's special order declared holy, and forbidden to be used to any common use afterward. The Quaker replies to this, "*That you have found out a pretty parallel, and matcht your Case well, in bringing this rebellious Consecration, attended with a damnable sin, to parallel the Dedication of Tythes.*" Methinks if T. E. have not so much Logick, he might have so much common sense to discern, that it is the difference between these two Cases that makes your Argument good; for you are arguing *a majori ad minus*, That if a Dedication, though made in so wicked a manner, by such damnable sinners, doth make the thing offered sacred, and not to be alienated; then no blemish in the Dedication of a good thing to the true God, can make the thing become unconsecrate: And if the Censers might not be alienated, much less should Tythes:
Yea,

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Yea, and T. E. saw this well enough; for you had said expresly, "*There was a vast difference between that Dedication, and this of Tythes* : but this he over-lookt wilfully, that he might take an occasion to make the Reader believe, that you had made these two Cases to be alike in all respects.

Well, but T. E. will give you an account why the Censers of *Korah* might not be used to common uses, p. 296. *The Censers were to be kept (saith he) for a particular Reason, viz. to be a sign and memorial that no stranger should come near to offer Incense.*] If we dare believe Almighty God, rather than this ignorant *Quaker*, this was not the reason why they were to be kept; for God gives another reason of that, *ver. 37. "Because they are hallowed, and ver. 38. "For they offered them before the Lord, therefore they are hallowed* : Where we see it was the Dedication that made them incapable of being used to any common use afterwards; but the *Quaker's* Reason was not a Reason

why they were kept, but why they were put to that particular holy use, and to no other : And would God the Quaking Speakers would remember these Censers at this day, when they usurp the Priest's Office. Another ingenious note of T. E's is this, That
*"The Censers were not permitted to be
 "used as Censers, but being made into
 "broad plates for the covering of the Al-
 "tar, the property of them was altered
 "before they were allowed to be used.]*
The property altered! hath not his immediate Teaching learned him to speak sense ? the form of the Censers was altered indeed, but the property was not altered at all. The Lord had the property of them when they were Censers, and he had the same property in them when they are made into Plates. The property of a thing is not altered, unless it change its Master. If I have a property in a piece of Gold by a Friend's Gift, and after see fit to melt it into a Ring for my own use ; the form is changed, but the property is the same. But to the

the Case before us: As the Censers being once given to God, must remain to be his still; and though they might be used to another holy use, yet they could not be alienated to a prophane or common use; so we may learn, it ought to be in other sacred Dedications: If the things were offered to maintain an evil way of Worship, they may be applied to maintain a right way of Worship; but still they must remain sacred, God's property in them should not be altered.

§. 20. The poor *Quaker* finding his Arguments will not be able to wrest Tythes out of the Clergys hands, attempts to get more forces on his side, and pag. 297. makes a fine Speech to exasperate the *Impropriators* against the Priests, perswading them that we are about to take their Estates from them; but I shall make it evident very shortly §. 37. That this very flattering *Quaker*, that seems so tender of their Rights here, doth labour to his utmost skill to prove, they neither have, nor can have any

Right to, or Estate in Tythes at all ; and that it is ridiculous, unjust and unreasonable in them to pretend to have any such Estate ; so that I hope the *Impropropriators*, and all others, will see the falseness of his dealing, and observe that he will say any thing to serve a present turn, and make the Priests odious : For our parts, we do not (like the *Quakers*) take upon us to censure the Actions of our Princes and Parliaments, nor yet (where Priests have temporal Estates, the Tythes whereof belong to Lay-Impropropriators) do we refuse to pay those Tythes, as the Laws of the Land appoint ; we do not pretend Conscience to save Charges, as the *Quakers* manner is : Whatever opinions therefore the Priests hold in this matter, they do not oppose the Laws, nor go about to perswade any to take away the Impropropriators Estates from them. There are some indeed, not only of the Clergy but the Laity also, who have been of opinion, That in point of Conscience, and as far as con-
cerns

cerns the Divine Laws, these Alienations were not allowable ; and they have perswaded such as can spare them, freely to return them to pious uses, or however to make provision for a Minister out of them, sufficient to instruct the People where the profits do arise ; but none of us ever used the Impropriators as the *Quakers* have done us : we know the present Laws give them a legal Title to them, and where we are lyable we pay chearfully to them ; if their own Consciences be satisfied to keep them, we do not molest them ; but if we do say, It is more pious and more Christian freely to restore them, I hope this is no just cause of offence : But for this matter, see Dr. *Baxter's Sacrilege arraigned*, and that excellent Book called *The larger Work about Tythes*, written by Sir Henry Spelman, whose Example answered his Instructions ; for he gave an Impropriation back to the Church out of his own Estate, and perswaded divers Great Men to do the like ; and many other

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excellent Men since that time have followed the same Pattern.

§. 21. T.E. is pag. 300. again harping upon the old string of *Poper*y; and now he falls to work for the *Jesuits* in good earnest, labouring to make out the *Pope's* Title to *England*, by a Prescription of eight or nine hundred years, and all this meerly to perswade the World, that the *Saxons* were *Papists* when *Tythes* were given, and consequently that they are *Popish*, and ought to be abolished: But how impertinent and untrue all this is, I will examine.] For first, if the *Saxons* in K. *Ethelwolph's* time were *Papists*, it will not follow that all their Donations are void; so that if he could make this out, it would not prove his Position, viz. That this Donation of *Tythes* is invalid. Secondly, and suppose they were *Papists* in some things, yet it follows not that giving *Tythes* was a *Popish* Act; for all the Acts of *Papists* are not *Popish*. The *Saxons* of those dayes observed the *Lords Day*, and made good Laws for its observation,

tion, enjoyed all Persons to learn the Creed and the Lords Prayer; they gave Alms to the poor, protested against Adoration of Images, &c. and in these they were no *Papists*; yea, those of the present *Roman Church* do many Acts of Piety and Charity, but sure those Acts are not *Popish*: The Protestants have disputed as much and as well for Tythes, as ever the *Papists* did; and *T. E.* must know, it is a *Popish* opinion, That the Bishop of *Rome* can exempt Men from paying Tythes. And therefore if our Ancestors who gave Tythes had been *Papists*, in this Act they had been good *Christians*, and differed not from the opinion of the Reformed Church. *Thirdly*, he begins too low by far; for if *Popery* came not into the Church till about seven hundred years after *Christ* (according to *T. E.*'s proofs) then Tythes were much antienter than *Popery*; for they were paid and declared to be due to the *Christian Church* at least five hundred years before: and *T. E.* must prove
Origen,

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Origen, Cyprian, S. Ambrose, Chrysostom, Hierome and Augustine to have been *Papists*, if he will make out, that Tythes came into the Church with *Popery*: Or if he pretend he meant it only of this Church of *England*, we have shewed Tythes were paid generally, and specially granted in some parts of this Kingdom, long before *Ethelwolph's* time; so that he may twattle thus to please his ignorant *Quakers*, but we discern the emptiness and impertinence of these Allegations, which are so nothing to the purpose, that they deserve not to be considered at all. Yet because the poor Man hath taken so much pains, we will give him the hearing: But it is rather to clear our *Pious Ancestors* from the Reproaches of this ungracious *Cham*, than out of any necessity in order to the Case of Tythes. *First* therefore let us note, That most of those Doctrines which are properly called *Popery*, and which first caused and still justify the Protestants Separation from *Rome*, were not maintained

tained as Articles of Faith, no not in the Church of *Rome* it self, at the time of this Donation, *Anno* 855. The *Marriage of Priests* was not forbidden till the time of *Greg. VII.* above 200 years after (l). The number of the *Seven Sacraments* was not defined till *Peter Lombard's* dayes, *Anno* 1140 (m). The Doctrine of *Transubstantiation* was not received for a point of Faith till the *Lateran Council*, above 1200 years after *Christ* (n). *Purgatory* it self was but a private Opinion, and affirmed onely by some, *An. 1146* (o). And *Indulgences* can be no older (p): Yea, their Application to Souls in *Purgatory* was first brought in by *Boniface VIII.* (q). The *Half Communion* began but a little before the Council of *Constance*, and was never decreed till then (r). Yea, the putting the *Apocrypha* into the Canon of Scripture, and divers other Points, were never decreed till the Council of *Trent*, about 110 years ago: And if it were not to avoid prolixity, I could make it evident,

That

(l) Polyd. Virgil derer. invent. l. 5.
 c. 4.
 (m) Cassand. de Sacram.
 (n) Scotus ix 4. Sent. dist. 11. q. 3.
 (o) Otto Frising. l. 8. Chr. c. 26.
 (p) Polyd. Virgil. l. 8. cap. 8. & Fish. Roffens. contra Luther. Ar. 18.
 (q) Agrip. de Vanit. Scien. c. 61.
 (r) Gregor. de Valent. de Legit. usu Eucha. c. 10. An. 1415.

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That the *Pope's Universal Supremacy* and *Infallibility*, *Justification by the merit of Good works*, *Auricular Confession*, *Formal Invocation of Saints*, and other corruptions of the modern *Papists*, were not determined as Articles of Faith, no not in *Rome* it self, in *Ethelwolph's* time : and then how can he be called a *Papist*, supposing he had agreed with the then *Roman Church* in all points? But I must not lanch out into this Ocean, wherefore I will content my self to reply to the *Quaker's* Instances. 1. For those pag. 301. the *Quaker* lays not much stress upon them, and there are some of them allowed by the best Protestants, and all Men that understand Antiquity know those *Decretal Epistles* to be forged, which first attributed these Constitutions to those early Popes. Proceed we therefore to his more material Instances : And first, concerning *Deposing of Kings*, T. E. saith, "*Pope Zachary I. took upon him to depose King Chilperic,* and absolved his Subjects from their
"Alle-

“*Allegiance.*] This is a Forgery invented by the Champions of the Pope’s Supremacy, but denied by the *French*, who do assure us, That the deposing of King *Chilperic* was done by *Pepin* himself, by the consent of the whole Kingdom of *France*, before any notice was given to the Pope about it, who did not pretend to any such Authority over the *French* King (nor is he allowed it at this day,) but only approved of the deed after it was done, and advised to put him into a Monastery (*f*); and the ancient Hi- (*f*) *Centur.* storians words thus describing this *Magdeburg*. matter, may be seen in *Widrington Apol. pro jure Princip.* And to let T. E. see how unlikely this feigned Deposition of *Chilperic* by the Pope’s Authority is, I will set down the Reply of *Hinc-marus* Arch Bishop of *Rhemes* to Pope *Adrian* the Second, who had written to him to Excommunicate the King of *France*, Anno 870. (which was less than deposing)
 “*There was never* (saith *Hinc-marus*)
 “any such precept before sent from
 “*Rome,*

"Rome, to any of my Predecessors—
 And going on, he tells the Pope,
 "That the French assembled in Coun-
 "cil, did desire his Holiness, according
 "to the Example of his Predecessors, to
 "meddle with Ecclesiastical matters
 "which belonged to him, and not with
 "the Common-wealth, which was the
 "Kings part to dispose of— And
 "let him not (say they) command us
 "Franks to serve him that we will not
 "serve, for his Predecessors did never
 "put this yoke upon our Predecessors,

(t) *Hincmar.* "neither can we endure it (t). I cite
ap. L. Boch. Decret. Ecc. Gal. l. 2. Tit.
 2. p. 317.

(u) *Onuphr.*
in Vit. Greg.
 VII.

this the more largely, because our
Ethelwol'ph married the Daughter of
 this very King of France, whom the
 Pope could not so much as Excom-
 municate, much less Depose; and no
 doubt *Ethelwol'ph* was as free from the
 Pope's Authority in this matter, as the
 King of France his Father-in-law.
 Secondly, There is as little truth in
 Gregory the Third's Deposing of *Leo*
Isaurus about Images: which Deposi-
 tion *Onuphrius*, a judicious Historian,
 calls a meer Fable (u). Indeed no

Bishop

Bishop did ever depose a King or
 Emperour till *Hildebrand's* time, *An.*
 1074. which is confirmed by the best
 Historians of that Age (x). Let *Onu-* (x) *Chron.*
phrius speak for all: "Gregory the *Hirsaug.*
 "Seventh did first of all the Popes of *Otto Frising.*
 "Rome — despising the Imperial l. 6. c.
 "Authority and power — not only *Godfr. Viter.*
 "Excommunicate, but presume to de- *part. 17. Tri-*
 "prive the Emperour of his Kingdom *themius, &c.*
 "and Empire; a thing never heard of
 "in the World before (y). And *Sige-* (y) *Onuphr.*
bertus, *Chr. An.* 1088. calls it "A No- *Vit. Gregor.*
 "velty and a Heresie: Yea, the whole VII.
 Church of *Liege*, in their Epistle to
Paschal II. tell him to his face, That
 no Pope, before this Gregory, did ever
 use the Temporal Sword (z). So (z) *Epist.*
 that this piece of Popery was not *Leodens.*
 crept into any part of the *Christian Eccles. ad*
 Church, much less into *England*, *Paschal. 2.*
 when Tythes were given to the
 Church; nor was the Pope's Supre-
 macy or Infallibility owned here in
 those dayes, as I will undertake to
 prove against this *Quaker*, and the
Jesuits, whose part he takes in this
 matter;

matter: So that I will only note, That if *T. E.* referre the first Original of Tythes to *Ethelwolph's* Donation in this Kingdom, then he should have produced an Example of the Pope's power to depose the Kings of *England*, which if he can shew to have then been a Doctrine received here, it will make somewhat to his purpose; but these forreign Instances, if they were as true as they are false, do not prove the *Saxons* were *Papists* in this point. *Secondly*, The *Quaker* Instances in the *Worship of Images*, and upon presumption that our *Saxon*-Ancestors worshipped them, he frequently call them *Idolaters*;] which is another manifest slander: For though the *Saxons* had some few Images and Pictures for ornament and memory, yet they did not worship them in this Age, nor long after; and though the second Council of *Nice* did attempt to establish Image-worship, we may see in *Dr. Stillingfleet's* last Book of the Idolatry of the *Roman Church*, That the greatest
part

part of the Christian World rejected that Council, and detested the practice thereof; yea, that Council "*was almost by all so much contemned, that it was scarce counted worth the Reading by him that translated it (a).*" But to shew what was the opinion of the Saxons and Gallican Churches (generally agreeing in their opinions) where the most famous Tythe-givers of this Age lived; let it be noted, that Sir Henry Spelman proves, That "*the Saxons from Augustin's time had Images only for ornament, memory, reverence and example, but not for worship (b).*" And about 60 years before K. Ethelwolph's Donation, we read a full Account of the English Churches opinion about Images, Anno 792. For Charles the Great of France (saith the Historian) "*sent the Constitutions of a Synod which he had received from Constantinople, into Britain, in which, alas, were many inconvenient things, and contrary to the Catholick Faith, especially that Images ought to*"

K

"be

(a) Anastas. Bibliothec. Pref. ad 7. Synod.

(b) Concil. tom. i. not. ad Concil. Lond. An. 712.

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“ be worshipped, which is altogether ac-
 “ cursed by the Church of God; against
 “ which Alcuinus writ an Epistle, won-
 “ derfully proved by the Authority of
 “ Divine Scripture, which in the name
 “ of our Princes and Bishops he car-
 “ ried with the Constitutions back to

(c) *Hoveden Annal.* p. 232. this a Synod was called at Frankfort,
Sim. Dunel. wherein by the Gallican, English and
Col. III. German Churches, the worship of
Math. West. Images was condemned, and a Book
An. 793. written in the Name of Charles the
 Great against the second Council of

(d) *Vid. Eginharti Annal.* An. 794. *Nice (d)*: and that this opinion con-
 tinued long after, may be seen in Dr.
Stillingfleet, pag. 832. who instances
 in Famous Authors, that in the name
 of the Gallican Church opposed all
 Image-worship; such as *Jonas Aure-*
lianensis, Anno 842. and *Agobardus*
Bishop of Lyons, An. 850. *Hincmarus*
Bishop of Rhemes, An. 880. &c. And
 that the English remained free from
 this Idolatry a long time after, is
 shewed by Sir Roger Twysden (e).
 (e) *Histor. Vindic.* c. 9. p. 184. Thirdly, He instances in *Miracles*
 and

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and *Intercession of Saints*, taxing *Bede* with these points of Popery, and the *Saxons* of his time.] I reply, That if the believe of *Miracles* make Men *Papists*, then *T. E.* and his *Quakers* are all *Papists*; for they believe they are immediately taught, which is a stranger and greater Miracle than any they can find in all *Bede's* History: Again, It is not unlikely but some extraordinary Miracles might be wrought at the first Conversion of the *Saxons*, the more easily to convince that rugged People; and the want of Humane Learning in that Age, might occasion the credulous reception of more than was true; and yet we must not condemn them presently for *Papists*: they might be credulous and apt to be imposed upon, but that was their infirmity, and amounts but to Superstition, not to Popery. I add, That in *Eusebius*, and other old Church-Histories, there are many Miracles recorded; which yet doth not prove either the Authors relating them, or the People believing them,

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to be *Papists*. As for *Intercession of Saints*, if he mean, that the *Saxons* prayed to the Saints as their Intercessors with God, he doth egregiously wrong them; for the old *Saxon* Psalters, in which are their Private Devotions, have no mention of any Saints at all; as is attested by *Spelman* and *Twysden*, who had perused several Originals; and Bishop *Usher* affirms the like of a Prayer Book which he had seen, as old as K. *Athelstan's* time, *An. 940*. Nor were the Saints Names added in their *Litanies* with [*Ora pro nobis*] till about the time of K. *Canutus* almost 200 years after K. *Ethelwolph's* time: So that neither in this matter were our Tythegivers Idolaters, nor *Papists* neither. There is but one thing more wherein the present Church of *Rome* is charged with Idolatry, and that is in *Adoring the Host*, or Body of *Christ*, (which they say is transubstantiate) in the Sacrament; but neither in this were the *Saxons* guilty, for they did not believe *Transubstantiation*, no
not

not in King Edgar's dayes, *An. 975.*
as appears by the *Saxon Paschal Homily*, which *Ælfricus* then translated
into *Saxon*, being appointed to be
publickly read : "*There is* (saith he)
"*much difference between the Body of*
"*Christ which suffered for us, and*
"*that which is consecrated in the Eu-*
"*charist; that was born of the Virgins*
"*flesh—but his Spiritual Body, which*
"*we call the Host, is composed of many*
"*grains, without blood or bones, or any*
"*member, or any Soul — This My-*
"*stery is a pledge and figure, but the*
"*Body of Christ is Truth it self* (f). (f) *Homil.*
And another Discourse of his to a *Pasch. Sax.*
Saxon Bishop of those Times, saith ;
"*The Host is the Body of Christ, not*
"*corporally, but spiritually* (g): Which (g) *B. Usher*
proves they were of the same opi- *de Success.*
nion with Protestants in this main *Eccles. c. 2.*
point, and could be no Idolaters at *§. 21.*
all. I could give more Instances to
prove that the *Saxons* were like the
Protestants in the most fundamental
matters ; but two Instances more shall
suffice at present : 1. As to the merit

of Good works ; "*The Lord teacheth us* (saith V. Bede) *that no Man is sufficiently able to save himself, either by his own Free-will, or his own merits* (h). And by the Righteousness of his deeds shall no Man be saved, but only by the Righteousness of Faith (i). By the mercy of God in the Name of our Saviour, and not by our merits, we obtain Life, saith Alcuinus, An. 800. (k) And long after, even in Anselm's time, this was the opinion of the Church of England, as we have proved before ; so that in this point the Quakers (with their Perfection) are more Popish than the Saxons were. I shall conclude with the Canon of Scripture, which the Saxons kept entire as we have it, rejecting the Apocrypha from being of Divine Authority, even as the present Protestants Church doth ; see of old Bede (l), Alcuinus (m), Gislebertus Westmonast. (n) and since that, Johannes Sarisburienfis (o), and Guliel. Occam (p), to name no more : Finally then, if T. E. have either shame or

(h) Bed. in Psal. 31.
 (i) Id. in Psal. 77.
 (k) In Psal. cuinus, An. 800. (k)
 (l) Comm in Apoc. c. 4.
 (m) Advers. Elipantum.
 (n) Alterc. inter Synag. & Eccl. c. 1.
 (o) Ep. 172. An. 1180.
 (p) Dial. part. 3. tract. 1. l. 3. c. 16. An. 1330.

or grace, let him repent of this foul slander, which he hath as falsely as maliciously cast upon our Fore-Fathers, the pious *Saxons*, who were more Orthodox in some Points than *Rome* it self then was, and differed from the present *Papists* in all the most material Articles of Faith, being nearer in opinion to the Protestant Church of *England*: And although they were in some lesser matter inclining to Superstition, yet they were very devout according to their knowledge, and may shame the present Age, who do not so many good things, though they have more Understanding: But if *T. E.* will not recant, I shall leave it to the Reader to judge of his Ignorance and Impudence, in saying, *Tythes* were given “by *Papists* and *Idolaters*, to *Idolaters*, for *Idolatrous* uses, and in supposing “the Church so much corrupted “with *Popery* then, that their very “Donations were not fit to stand good “or be enjoyed, no not by a Protestant Ministry.

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§. 22. To manifest that the Donation of Tythes is not Popery, we have already proved, they were given to the Church before Popery came in; and now we shall shew they were allowed, received and confirmed after Popery was turned out, and that (as you noted in the Conference) even by those who were Martyrs for the Protestant Faith, *Cranmer, Hooper, Ridley, Latimer, Taylor and Bradford*. The *Quaker's* Exceptions to this Argument pag. 305. are as frivolous as can be; for first, "*All truths were not (saith he) discovered at once, nor all untruths neither..*"] It is strange the *Quaker* should say so, who before declared himself to be for Immediate Teaching, and who p. 229. affirms, "*The very Babes in Christ by the anointing knew all things: Yea, if the Saints have not the Spirit in them, so as to teach them all things, they have not the Spirit at all,*" p. 230. What then doth *T. E.* make of these Martyrs, not so much as little Children? were they wholly without the Spirit?

Spirit? or were they taught mediately? since mediate and carnal Knowledge (as he calls it) comes by degrees; but all that *T. E.* allows for Saints, got their Knowledge in an instant, as the Apostles did: either therefore he must deny these Holy Men were taught immediately (and then by his Rule they could have no Knowledge in Divine things) or else he must confess Truths were not revealed to them by degrees. We add, That the *Quaker* thought *Bradford* a very Spiritual and knowing Man, (with some others of that time) when he fancied he spoke on his side, *p. 275.* but now when he speaks against him, he rejects his Testimony, on pretence "*That he and the rest of his Fellow-Martyrs liv'd at the very dawning of the day of Reformation.* Very pleasant! Let me then ask the *Quaker* what hour of the Morning it was when his other Martyrs (as he falsely calls them) *Thorp, Swinderby, Brute, and Wickliffe* lived? If it was but day-break in *Cranmer's* time, it was dark

dark as mid-night in *Wickliffe's*; if *Cranmer* and *Bradford* had but little light, *Wickliffe* and *Thorp* had none at all; and therefore unless they had Cats-eyes they could not see them; So that 'tis wonder *T. E.* should preferre their Judgements before these. But further, If to reject Tythes had been a Truth, it was discovered (according to *T. E.*) long before *Cranmer's* time, and he with his Associates who lived nearer Sun-rise, and so could see better than *Thorpe*, &c. were not ignorant of this Opinion, but esteemed it erroneous; and though they followed *Wickliffe* in some things, yet in this they receded from him: so that it cannot be said they saw not this opinion; but seeing it, they rejected it: And I am sure their judgement herein is far more considerable than *Wickliffe's* or his followers, being both better Men, and of far greater understanding; for these Martyrs were constant to the death, and sealed our Faith with their Blood; whereas most of those

Oppo-

Opposers of Tythes recanted openly, and proved Apostates, as Mr. Fox himself confesseth: So that the *Quaker* is a manifest Lyar in giving such Renegado's the Name of Martyrs: and as for *Wickliffe* himself, he himself received Tythes, and died quietly Parson of *Lutterworth* in *Leicestershire*, and so was no Martyr: nor did he absolutely reject Tythes as *T. E.* doth, but only affirmed, they were *pura Eleemosyna* (q). And as for the Knowledge of *T. E.*'s Martyrs, we may guess at the size thereof by that senseless Saying of one of them (which our *Quaker* cites) viz. "That one of the Ancient Doctors, *S. Hierome*, (he thought) did affirm, That those Priests who take Tythes, deny Christ to be come in the flesh. How could *S. Hierome* say thus, who professeth he received Tythes, and lived on them himself; yea, that the Law of Tythes obliged the Christian People, as we shewed before: nor did ever any ancient Doctor say so idle a thing as this: Now for *Cranmer*, *Hooper*, *Ridley*,

(q) Vide
Spelm. Cons.
Tom. 2.

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Ridley, &c. their vast Learning is sufficiently known to all the World, and truly they are much disgraced by the Parallel, and all sober Readers will admire at the pride and vanity of *T. E.* and his *Quakers*, who really know nothing, and yet fancy they are as much above *Cranmer, Hooper, &c.* in point of Knowledge, as the noon-day light is above the dawning of the day : But if the *Quakers* be above them in Knowledge, are they also above all our Protestant Kings, Bishops, Lawyers, Parliaments, Privy-Councillors, and Writers ever since? for all these have declared Tythes to be no Popery, and confirmed the first Donation.

§. 23. Having proved God's Original Right to Tythes, and his Assignment of this Right to his Ministers, and also shew'd the piety and validity of the Donation, which dedicated them to God for that end to which he had assign'd them ; I come, thirdly, to prove the Clergy have a Temporal Right to Tythes also : For, “ *it be-*
“ *ing*

ing the duty of a King (as saith King
Edward the Confessor) to preserve,
cherish, maintain and govern the
Churches of their Dominions, ac-
 cording to the Constitutions of their
 Fathers and Predecessors (r): There- (r) *Leg.*
 fore our Kings, with the Advice of *Edw. Confes.*
 their Council, their Nobles, and *cap. 17.*
 People, by their Representatives in
 Parliament, have by many Temporal
 Laws estated these possessions on the
 Clergy; and esteeming them to be as
 profitable Members of the Common-
 wealth as any other Subjects, they
 have taken the same care of them, as
 of other Men, and what they found
 so rightly conveyed to them, and in
 their Actual possession, they have
 given them a Legal Title to, *in foro*
soli; securing the Clergy in the en-
 joyment of Tythes, by as many and
 as firm Laws, as do secure the Laiety
 in their Estates, and allowing them
 the like benefit of the Law and Ju-
 stice, in case of any injury offered
 them in these Rights, as other Sub-
 jects have; and thus the Clergies an-
 tecedent

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tecedent *Jus Divinum* is established
 and confirmed *Jure Humano*. Now
 if the *Quaker* would fairly have dis-
 proved this Temporal Right, he
 should have shewed there were no
 Humane Laws to estate Tythes on
 the Church, nor no Remedies in the
 Courts of Justice against any that
 detained them; or have made it ap-
 pear, that our Princes, Parliaments,
 Judges and Lawyers had declared
 against the Clergyes Right to these,
 or denied them their protection in
 the enjoyment of them, which other
 Subjects have; this had been to the
 purpose: And being matter of Fact
 is the only just way of arguing, for
 to contrive by Sophistry and proba-
 bilities to shew a thing cannot be,
 which we see with our Eyes, is, as *T.E.*
 calls it, to nibble, not dispute: yet
 such Cavils as he hath, we will suffer
 him to produce against the Clergyes
 Temporal Right to Tythes: and first,
 though the whole Bench of our Re-
 verend Judges will declare it for
 Law, That a Clergy-man hath as good
 Right

Right in Law to his Tythes, as a Layman hath to his Estate: *T. E.* tells them *pag. 311.* there is a fallacy in that, the Case is far different; For
“ *I enjoy my Estate not only as a Temporal Right (saith he) but I claim it*
“ *in a Natural and Civil capacity,*
“ *without Relation to a Ministerial*
“ *Function; but the Priest claims in a*
“ *Spiritual capacity, his claim depends*
“ *upon a Ministerial Function.] T. E.*
doth not claim meerly in his Natural capacity, nor barely as a Man (for all his talking) since many wiser and better Men than *T. E.* have no Estate at all, nor no Right to any: Every Man hath a Natural Capacity, but that alone gives no Title to an Estate; it is therefore as a Man so Qualified that *T. E.* claims, that is, as a Purchaser, or one to whom an Estate hath been given, or as being descended from some so Qualified; or else as invested with some Civil Office or Employment, to which such an Estate is annexed. Well, the Priest hath a Natural capacity also, as well as *T. E.*

is

is as much and as good a Man as he; but this alone gives him no Title to Tythes, he claims them in a Spiritual capacity, as *T. E.* claims his Estate in a Civil capacity: And now why is not a Spiritual capacity as good a ground of claim to an Estate legally settled upon it, as a Civil capacity: Men in this Spiritual capacity are Men, and need provisions as much as those in Civil capacities: They are Subjects as well as the other, and as useful Members of the Commonwealth as any, and so deserve protection and defence by the Laws as well as others: And all the Law-givers under Heaven have believed Men in Spiritual capacity were as capable of Temporal Rites and Priviledges, as those in Civil capacities were; and accordingly they have been endow'd, and their Endowments confirmed by the Laws of all Nations; so that I wonder what Crotchets came in the *Quaker's* head, to fancy a Minister of *Christ* could not have the benefit of the Temporal Laws, as well as the

Mayor

Mayor of a Corporation. An Estate in Land, Rent-charge, or Tolls and Customs, may be settled on the Mayor of such a City, and on his Successors, for ever; and then, who so sustains that Charge, and bears that Office, hath as good a Claim by Law to that Income, as *T. E.* hath to the Estate he is born to. They claim under different Qualifications; but one hath as good a Temporal Right for his Time, as the other. Now why is not a Minister in as good a capacity as either of these? Why is not a Religious Office as Endowable as a Civil Office? Sure his being a Minister of *Christ*, makes him not incapable of a Temporal Right; for *S. Paul* saith, the King is *ὁ αὐτοκράτωρ*, *Rom. xiii. 4. the Minister of God*: And by vertue of that Ministerial Function, His Majesty claims many Temporal Rights, (besides the ancient Patrimony of His Family): And will this saucy *Quaker* say, he hath a better Title to his Estate, than the King hath to the Rights and Reve-

nues of His Crown? But as to the Claim of a *Priest*, it will be made evident by this Parallel. Suppose some Prince or Great Man did out of his own Inheritance make a Donation of some certain Lands or Rents to an *Elwood*, and entail it on the Family of *Elwoods* for ever; if *T. E.* be the Heir of that Family, he will say he hath as good a Right to this, as if he purchased it. And why may not the *Priest* claim his *Tythes* as justly as *T. E.* claims this Donative? Was his Estate given by the Right Owners? So were *Tythes*. Was his given to the Family of *Elwoods*? So were *Tythes* to the Order of *Priests*. Was his given for Valuable Considerations? That may be some question; for who knows, some hundred years after, but it might be for doing some evil deed to please the gr. it Donor, such as that Donation to *P. de Mawley* was (f). However, the Law finds him in possession, and presumes the Considerations were good, and so secures his Title: But the *Priests* can, and have made it appear,

(f) Dugd.
Baronage of
Engl. vol. 1.
p. 733.

pear, that the *Tythes* were settled upon them by vertue of the best Considerations imaginable; and therefore the *Priests* Claim is better than the *Elwoods*, on this account, that we can be sure we came well to our Right at first. Now the Law finding a *Priest* and an *Elwood* both claiming by vertue of several ancient Donations, and both in possession of their several Estates; and looking on them as both Subjects, and both Persons whose Rights the Government and Laws should defend: the Law, I say, confirms both their Estates and Rights to them and their Successors. Now if *T. E.* be descended from the *Elwoods* in a natural way of succession, so are we from the *Priests* in a spiritual succession: and though this bold *Quaker* do often say [*we are no Priests*]; I must tell him, there is more fear he is no *Elwood*, than we no *Priests*; and our Ordination is easier to prove, than *T. E.*'s Mothers Honesty: But however, the Law takes him for an *El-*

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wood, and us for *Priests*, and equally confirms our Claims: So that I think all rational Men must say, the *Priests* Claim and Temporal Right is as good as the *Elwoods*; it differs not at all as to strength and validity, unless the *Priest* have the better Temporal Right of the two.

§. 24. He goes on in his folly, and saith, pag. 314. *If the Case of the Priest and of T. E. as to Temporal Right be equal, then the Priest must acknowledge he is no more a Minister of Christ than T. E. at least, that he doth not claim them as a Minister of Christ, any more than T. E. doth his Temporal Estate; otherwise the Parallel will not hold.*] The Maxim on which this Inference is grounded, is this wretched absurdity, *That none can have equal Temporal Rights by the Laws, unless they be equal in all Capacities*: Whenas all the World sees, the same Laws do give equal Temporal Rights to Persons of all kind of Capacities; for the same Estate may be enjoyed by a Judge first, then
by

by a Soldier, then by a Merchant, then by a Woman; and all these in their several turns may have an equal Temporal right to this Estate, though they be every one of different Capacities. And if it be several Estates, and the Persons enjoying them as different as can be in their Capacities, the same Laws may give an equal Right to them all, without altering their various Capacities. Suppose the King have by the Law a Temporal Right to one Estate, and some of His Subjects an equal Right to another Estate; you shall hear T. E's wise way of arguing: "*The King claims a Temporal thing; so doth the Subject: The King claims by a Temporal Right; so doth the Subject: The King hath no need of Scripture to prove his Right; no more hath the Subject: Yet for all this, their Claim is not one and the same, they must stay there; the King must acknowledge himself no more a King than the Subject, or else the Cases are not parallel.* Thus he

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takes his *Quakers* by the nose, and would cokes them into a conceit, That all *Priests* must be *Elwoods*, or all *Elwoods* *Priests*, before they can have equal Temporal Rights. This is the inspired Oracle of Law and Gospel, who doth not know how a Judge and a Plowman, a Man and a Woman, a *Priest* and an *Elwood*, can have equal Rights and Claims, unless the Judge be no more a Judge than the Plowman, or the Manno more a Man than the Woman, or the *Priest* no more a *Priest* than the *Elwood*. This is the rare Logician, who can distinguish so nicely between the *Man* and the *Capacity*, that one would think he had learned of the *Jesuits*, or been educated among the Murderers of our late Blessed King, who fought against the *Man*, and put him to death, but yet did not oppose the *King* all the while ; which our Laws call a *Traiterous Position*. At this rate one might strip *T. E.* of his *Elwoodship*, and require him to divest himself of that *Capacity*, and to claim
meerly

meerly as a *Man*, or else he could have no good Temporal Right; as well as to strip the *Priest* of his Spiritual Capacity, whenever he claims a Temporal Right: And yet for ought I see, the *Quakers* will not pay us our Dues, neither as *Priests*, nor as *Men*. But why should this Puisse talk of Law? whenas, pag. 315, & 316. it appears he never heard of a *Lay-fee*; but twice together (lest we should think it was the Printers mistake) he talks of holding [*in a Laity*], and that *Impropriators* [*hold in a Laity*]; which is such a gross piece of Ignorance, that a Clerk of a weeks standing would hiss at it.

§. 25. *Ignorance is the Mother of Admiration*; and therefore it is not strange to find T. E. wondring at the following Particulars, pag. 316. First, *Why Spiritual Preferments should be held by a Temporal Right, unless it be because we have no Spiritual Right to them?*] The Clergy had a Spiritual Right to *Tythes*, before any Humane Laws gave them a Tem-

poral Right to them ; or else *S. Hierom*, and other Primitive Fathers, who lived on *Tythes*, did live upon that which they had no Right to at all. Now the Humane Laws finding the Clergy had a Spiritual Right to *Tythes*, did confirm that first Title, by adding a second ; for when they give the Clergy a Temporal Right to *Tythes*, the Law-givers and Laws suppose their antecedent Right, which *T. E.* confesses, *pag. 333.* And our *Elwood* hath an equitable Right to his Estate, antecedent to the Legal Right which the Laws of the Land give him to it : now the addition of this Legal Right doth suppose and confirm, not deny or destroy his Equitable Right. If he ask, what moved our Temporal Governors more especially to add this Legal Right to the *Priests* antecedent Spiritual and Divine Right ; it may be it was on purpose to prevent the knavery of such who will pay nothing for Conscience-sake, and of such as would pervert the Scripture by Inspired Expositions,

Expositions, and call the Fathers, Councils, and Princes, who gave or approved *Tythes, Papists and Idolaters*; and the Ministers of God, to whom *Tythes* were given, *Idolatrous, Popish, &c.* meerly under this pretence, to defraud them of their Dues. Hence they made Laws, that Spiritual Donations should be held also by Temporal Right, that Humane Penalties might compel those to be honest, who neither valued nor feared other things. And this is the Reason given by *Hen. VIII.* in *T. E.* pag. 333. yea, by *S. Paul*, when he saith, *The Law is not made for a Righteous man*, 1 Tim. i. 9. To his second Question, "*Why the Priests are called Spiritual, who bid such defiance to the Inspiration of the spirit?*" I answer, We do unfeignedly reverence the true Inspirations of the Spirit; and that very esteem we have for so divine a thing, makes us bid defiance to such wretched Pretenders to it as *T. E.* and his Crew, who boast of a false Gift,

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Gift, and belie the Holy-Ghost. To his third *Query*, "*Why all Priests are called Spiritual Persons, when some answer not their Profession ?*" I reply, He had best examine the Evangelists why they call all the Twelve by the name of *Apostles*, when one of them was a Devil ; and ask *S. Paul* why he styles the *Corinthians sanctified and called Saints*, 1 Cor. i. 2. when many of them were carnal. T. E. it seems hath not yet learned, that Names are given according to Mens Profession and Duty, shewing rather what they ought to be, than proving what they are. "*It is enough to justify our Name, if not all, or not the most, contradict it : for Names are so instituted, as to suppose a distance between the Title and the Qualification. How many are called Philosophers, which fulfil not the Rules of Philosophy : All may bear Names according to their*

(t) *Tertul. l. 1.* "*Professions.* So *Tertullian* sets out the folly of this Evil (t).
ad Nation.

J. C. 5.

§. 26. T. E's Head swimming with repeated

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repeated Revelations, he fancies all that are about him reel and stagger ; which occasions him to say, *pag. 317.* “ *That you reel from Creating a Right, to Establishing it.*] Whenas you never affirm’d, that any Temporal Authority did Create the Original Right of the *Priests to Tythes* ; only that they did establish that Right which the Clergy had to *Tythes* before, by Creating a Temporal Right, and superadding it to their former Title ; and thus by both Claims *Tythes* are ours, and not his who pays them : Which when you offer to *(u) Confer.* prove *(u)*, the *Quaker* leaving out *p. 142.* all the intermediate Arguments, skips three pages together, and then bringing in onely your Conclusion from those Premises which he hath omitted, *Confer. pag. 145.* he most dishonestly insults, “ *Is not this notably argued,* saith the *Quaker*, when he had suppressed all your Arguments, and not suffered you to argue at all. But when we have observed the injustice of this dealing, we may proceed

proceed to new Instances of his audacious Ignorance.

§. 27. Pag. 319, 320. affords us three notable Passages. First, *That Christ who appointed Maintenance in general, doth describe what it shall be in particular, viz. Meat and Drink, Luke x. 7, 8. Mat. x. 10.*] Unless T. E. have some new Revelation concerning this Commission of *Christ* to his Disciples, the old words of Scripture will not bear this sense: For, as we read the place, this was a particular Direction for that private and particular Message on which the Apostles were to be sent to the Cities of *Judea*; and if this Order of taking Meat and Drink then, were a perpetual and general Rule to all Ministers to the Worlds end, so must also all the rest of the Rules there mentioned be: and if so, then it will follow, 1. That Ministers may not preach to any *Gentiles* or *Samaritans*, *Mat. x. 5.* 2. That they must still heal the Sick, cleanse the Lepers, raise the Dead, cast out Devils, *v. 8.* 3. That

3. That they must not have two Coats, nor walk with Staves in their Hands, nor Shoes on their Feet, nor have any Money in their Purfes, *ver.* 9, 10. which are Rules that the most superstitious Speakers do scarce now observe: But these are the Consequences of pretended Inspirations, which make Men expound Scripture at such a rate, as to make the Apostles break their Masters Rules when they preached to the *Gentiles*. “We must not think (saith Calvin on this place) that there is a standing fixed Law prescribed to all Ministers of the Word, while the Lord is commanding the Preachers of his Doctrine what he would have them do for a little time; which piece of Ignorance hath deceived many so far, that they would reduce all Ministers to this Rule without distinction (x). Yet our Quaker is so confident of his absurd Exposition, that, *secondly*, He saucily asks Kings and Princes, “where Christ gave them power to alter that Maintenance, “and

(x) *Calv. Com. in Harm. Evang. p. 218.*

“and set up another in the room of
 “it ? arrogantly telling them in
 Corah’s phrase (having forgot the
 Censers already, *Numb. xvi.*), “*They*
 “*take too much upon them, unless they*
 “*can shew where Christ gave them*
 “*such Authority.*] But let me ask
 this bold Questionist, where *Christ*
 forbid them to give a better Maintenance ? He bid the Apostles be content with Meat and Drink ; but he did not forbid them to take more, if it were freely given : nor did *Christ* any where forbid those to whom the Gospel should be preached, to give them any more. It seems by *T. E.* that whatever any gave, more than Meat and Drink, was a contradicting *Christ’s* Command, if it were but a Coat to cover their nakedness (which is not mentioned in *Christ’s* Command) : No doubt he will ask the Primitive Believers, who gave them order to sell their Estates, and give them to the Apostles ? He will say, *They took too much upon them.* Was ever so much Folly and Impudence

dence conjoyn'd? Is it any affront to *Christ* to give nobly to his Service? Or did *Solomon* do any injury to God, to take away the ambulatory Tabernacle, fit for the unfixed State of the Church, and build a stately Temple? Such *exchange* can be no *robbery*. But because *T. E.* so pertly calls for a Command, I shall tell him, that an Hint is a Command to a Soul that loves God: There is enough in that Divine Precept to put the forward Charity of a devout Christian upon giving *Tythes* at least, *Gal. vi. 6. to give their Teachers a share of all their good things*; and 'tis sure they will not give a little share, who read, *They that sow plentifully shall reap plentifully, 2 Cor. ix. 6.* The *Tenth part* was given by the Patriarchs, chosen by God the Father, paid by the *Jews*, and not repealed by *Christ*: and why should they give any less or other part? Here then was their Authority to give *Tythes* to Gods Ministers. *Thirdly*, He says, "For any Magistrate to
"set

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“set out Tythes for a Maintenance,
 “is a direct opposition to Christ; be-
 “cause they were commanded by God
 “in the Levitical Law, and Christ
 “hath taken away Priests, Law, and
 “Tythes all together.] How proves
 he this? By *Hebr. vii.*] The Verse
 he cunningly leaves out, being con-
 scious to himself he had father'd a
 Lie on that Chapter, in which there
 is not one word of *Christs* taking
 away Tythes, no nor in any place of
 the *New Testament*. Christ took away
 that *Priesthood*; but he left another
Priesthood, which needs as much, and
 deserves as good a Maintenance as
 that of *Levi*; and therefore he ne-
 ver repealed the Law of Tythes.
 And since it was so likely, that *Chri-*
stians should pitch upon this *same*
Tenth part, which *Jews* and *Gentiles*
 had known to be consecrated to
 these Uses; if Christ had disallowed
 this part, it seems necessary there
 should have been an express Caution
 in Scripture against Tythes: but since
 there is no such thing, but onely a
 pretended

pretended Revelation to T. E. and the rest of his *Quakers*, no body will believe *Tythes* were designed by *Christ* to be repealed. And indeed T. E.'s Revelations will be of as little credit, since it is likely he will not scruple to belie the Holy Ghost, who hath forged *Christ's* Hand twice in this Paragraph; *first*, in saying, *He appointed that for a general and constant Maintenance*, which was onely on a *special occasion*: *secondly*, in affirming, *Christ had taken away Tythes*, which he never did repeal. Thus this insolent *Quaker* makes our Lord to seal and cancel whatever pleases his Party.

§. 28. We noted before, it was his usual way to evade all serious Answers, by some petty Cavil; of which we have another Instance here: For you having proved *Tythes* might be lawfully given, and shewed that the *Civers* were the Right Owners of them; asked, "*If they might not do what they would with their own*?" No, saith T. E. pa 321.

M

"they

“they might not spend it upon Har-
 “lots, nor waste it prodigally, nor
 “make an Idol of it.] If the Qua-
 ker had been one of the Labourers
 in the Vineyard, 'tis like he might
 have drolled thus upon the Master
 thereof, who (in the Person of God)
 saith, *Is it not lawful for me to do*
what I will with my own? Matth.
 xx. 15. T. E. would have answered,
 No, he might not put it to an evil
 use, &c. Whereas it is evident, that
 as God there is speaking generally,
 but is to be understood of Just uses;
 so is it with your words here. And
 this is to be understood in all general
 Expressions: As if one promise his
 Friend, that he will do for him
 whatever he will; it must not be ex-
 tended to oblige him to lie, for-
 swear, steal, or kill at his desire.
 “Those Deeds (saith the Civil Law)
 “which hurt our Piety, Reputation, or
 “Modesty, and generally all things
 “contrary to good Manners, are to be
 “reckoned Impossibilities, and it is to
 “be supposed we cannot do them (y).

(y) Papin. L.
 Filius 15. de
 inst. Cond.

How

How wilfully therefore doth the *Quaker* pervert your meaning, which plainly was, That a Man may do any thing fit or just with his own? Why doth he instance in things manifestly evil, and positively forbidden, to make a Parallel for *Tythes*? Can he prove *Tythes* as evil as Whoredom, as Idolatry or Prodigality, and as positively forbidden? If so, we will grant the Owners could not give their Estates to such an Use: But till then, he talks at random, meerely to avoid the force of this Argument, viz. The Owners were legally possessed of *Tythes*, and might dispose them to so pious an Use as the Maintenance of God's Service is: They might put their whole Estate to what just Use they pleased, and therefore might give *Tythes* to so just an Use as God's Service.

§. 29. On the former Foundation T. E. saith, pag. 322. "If *Ethelwolph* might not do what he would with his own, much less might he give away other *Mens.*"] It is affirmed by

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our most knowing Men, That the *Saxon* King had all the Land in *Eng-land* in Demesne; and therefore in charging all *England* with *Tythes*, they charged no more than their own: which is the reason of that seeming difference among the Historians who record this Charter, [*Terra mee*] and [*Regni mei*], since the whole Kingdom was his own Land in Demesne. But to let that pass: T.E. must needs be an egregious Dissembler, to pretend here that *Ethelwolph* did this alone; since he confessed, pag. 285. that his Nobles consented to the Gift: and if he have read the Charter (as he pretends), he must know, that *Ingulph* saith it was made,

“ *All the Arch-Bishops and Bishops of*
 “ *England being present, and sub-*
 “ *scribing to it; as also Beorred King*
 “ *of Mercia, and Edmund King of*
 “ *the East-Angles, before the Abbots,*
 “ *Abbeses, Dukes, Earls, and Nobles*
 “ *of the whole Land, and an infinite*
 “ *multitude of other Faithful People,*
 “ *who all consented to the Kings Char-*
 “ *ter,*

ter, and the Men of Dignity sub-
scribed their Names (z). We have (z) *Ingulph.*
 also noted before, how often this *apud Spelm.*
 Donation hath been confirmed by p. 350.
 the whole Nations Representative
 since that time, which T. E. could
 not be ignorant of; but to serve his
 ends, he conceals all this, meerly to
 get an occasion to Indite good King
Ethelwolp of Invading his Subjects
 Properties.

§. 30. But his Conscience accusing
 him for this Slander, in p. 323. he
 supposes that *Ethelwolp* did it by ge-
 neral consent, and then says, "*If it*
were so, yet neither could he single,
nor they all conjoyned, give any
more than belonged to themselves,
viz the Tenth part of their Land,
or of the Yearly Profits, for their
own Lives; but to make a Grant of
the Tenth part of the Profits of the
Land for ever, is (to my under-
standing, saith he) utterly repugnant
to Reason.] It may be repugnant
 to his Understanding, so sadly cor-
 rupted by Prejudice; but it is agree-

able enough to the Reason and the Practice of all other Men, for the Lords in Fee to give what part of the Profits of their Estate they please for ever. Is it not usual for such as settle their Estates, to oblige their Heirs for ever to pay out of it a Sixth, Eighth, or Tenth part of the Rents of that Estate, which the Heirs many hundred years after are obliged to pay to the Uses appointed by the first Donor? Are not all perpetual Rent-charges and Grants, with reservation of Free-Rents, with many Donations of certain yearly Sums to Colleges, Schools, and Hospitals, &c. are not these Grants of such a part of the Profits of a Mans Estate for ever? The Lawyers will deride T. E's Understanding in the Law, as much as we do his skill in the Gospel; and they will inform him, That a Man is not absolute Master of his Estate, unless he can make such Grants as these. But that which stumbles T. E. is, That

*" In the Profits of the Land, rightly
 " computed,*

“ computed, the Labour, Sweat, Care,
 “ Charge, Skill, Industry, Diligence,
 “ &c. of the Husbandman are inclu-
 “ ded, and that inseparably; for
 “ these are the Instrumental Causes of
 “ Production. — To admit then a
 “ Power in any Man to give the Tythes
 “ of the Profit beyond his own Life,
 “ were to suppose a Power in that Man
 “ to give away the Labour, Care, Skill,
 “ Charge, Diligence, and Industry of
 “ another; which Reason gainsays.
 — And a little after, — “ It is most

“ ridiculous.] This is his main Argu-
 ment, which he glories in much, and
 repeats often; but there is nothing
 at all in it, but Mistake, Falshood,
 and Impiety. For, if T. E. will
 grant, That it is lawful for a Lord to
 lay a perpetual Rent-charge upon
 his Estate, to be paid in Money,
 (than which, nothing is more com-
 mon, or more legal) he must grant it
 is as lawful for this Lord to charge
 his Estate with paying the Tenth
 part of the Profits *in specie*: For,
 doth not the raising the Sum of Mo-

ney (setled by Rent-charge), suppose 10 *l.* or 20 *l.* *per Annum*, include the Labour, Sweat, Care, Charge, Skill, and Industry of the Husbandman, as well as the preparing the *Tythe*? Nay, the paying a Rent-charge in Money requires more Labour, Charge, and Pains, than paying *Tythes in specie*; for the Husbandman must not onely get his Profits together, but carry (suppose) his Corn into the Barn, thresh it, winnow it, and carry it out again and sell it; and after all this, he must pay this Money, for which such a proportion of his Profits were sold: Whereas *Tythe* being paid *in specie*, needs onely be got together, and the Husbandman hath no more charge nor trouble with it. And besides, *Tythe* is a more equitable Payment by far, than a certain Sum of Money setled by Rent-charge; for if the Land yield little Profit, the *Priest* hath but little *Tythes*: but Rent-charges must be paid in full, even when the worst Years come, without

without any Consideration. If the whole Profits of the Land do not yield twice as much, the utmost Farthing of the Rent-charge must be paid. Now let any rational Man judge, whether the granting of a perpetual Rent-charge, be not to give away the Labour, Charge, and Industry of another, as well as the granting of *Tythes*: And yet I think *T. E.* is not so bereft of all sense, that he will say, such Rent-charges are ridiculous or unreasonable. Besides, we see that all Landlords who let long Leases, and settle the Rents on their younger Children, or more distant Relations, do give away the Profits of the Husbandmans Labour, Charge, and Industry; not onely the Tenth, but the Third part of them at least. But *T. E.* will reply, A Man may charge his Tenants successively with such a Payment of the Part of the Profits of their Labour, because he affords them Land to work upon; but he cannot charge his Heirs successively. I answer, That the Lord
also

also doth afford his Heirs Land to raise this Payment out of. Pray how came this present Possessor to have any Right to this Land? Doth he not derive his Right from his Forefathers? *T. E.* grants they might have sold off what part of the Land they pleased; and since they transmit it intire, may they not leave a Charge upon it? And if the Heir will not pay the Charge, he must renounce the Land also: For, it is a Maxim in all Laws, "*That the Bur-*
" then descends with the Inheritance :
 And he that will not have the Incumbrance, must not have the Benefit. And in point of Reason, why hath not the Father as good Right to oblige his Posterity, as they have to possess his Lands? Why should not the Father be obeyed by the Sons, as well as the Sons provided for by the Father? He might have charged his Posterity with the Tenth part of the best Years Profits in Money; but now the Charge is onely the bare Tenth of the Years Profits, be it less
 or

or more, which all Men (but *Quakers*) will grant is an easie Charge. If *T.E.* shall say, The Land hath gone through many Hands since: I answer, Whoever bought this Land, or howsoever it was conveyed, no following Owner can sell that part of the Profits which he never had conveyed to him; of which more hereafter: At present it shall suffice to note, this Argument of the *Quakers* is *Protestatio contra factum*, and so signifies nothing at all: It is an attempt to prove, *That cannot be done, which is done*, as well in this, as in other like Cases; and, *That ought not to be done, which hath been done a thousand times*, and that by the approbation of all *Christian Laws*: And the *Quaker*, in saying these things are *ridiculous and unreasonable*, doth call all the *Christian World* Fools, and pass his Censure upon Kings and Nobles, Parliaments and Judges, who have allowed such Grants to be just and reasonable, and either made them, or confirmed and approved them

them divers times: It seems all these were a company of ridiculous and unreasonable Men, or else *T. E.* is such an one himself; and whether be the more likely, let the Reader judge. But it is no great wonder he should call all Men Fools, whenas this blasphemous Argument flies in the face of *God himself*, who (even by the *Quakers* own confession) in the *Levitical Law* did assume a Power to enjoin all the Owners of *Canaan* to pay to the *Priests* the *Tenth* part of *those Profits which did arise from their Sweat & Pains, Charge & Care, and that from one generation to another.* God did make over to his *Priests* these *Tenths* of the Profits of many Mens *Sweat and Labour, &c.* many hundred years before they were born: Now this (the *Quaker* saith) is a *ridiculous and unreasonable thing.* O bold Blasphemer! If he saith the thing be ridiculous and unreasonable in it self, then this *Quaker* chargeth *God* with Folly and Injustice; who doth enjoin it: Nor
can

can he be excused by saying, *God hath more power than Men*; for in evil, foolish, and unjust things, God hath no power at all: God cannot lie, He cannot do any thing ridiculous or unjust: And because God once made this Grant, we dare be confident the Act is lawful, and wise, and just; and that T. E. is a blasphemous Wretch, to censure it by this wicked and silly way of reasoning, which condemns *Almighty God*, as much as it doth King *Ehtelmolph*. I will not insist now upon the Atheistical denial of *Providence* which is couched in this Argument also; for I shall shortly have occasion to shew, how the *Quaker* supposes his Husbandman deserves all the Profits for his Labour; and as if God contributed nothing, he excludes him from any share of them when they are produced. But this false and impious Argument is sufficiently exposed already, to make any Man recant it, that hath any spark of Grace or Understanding in him.

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§. 31. In the next place he affirms, pag. 326. "*The Consideration on which Tythes were given, is taken away ; for Ethelwolph gave them for the Health of his Soul, and the Remission of his Sins, which he believed might be obtained in that Church, by the help of that Ministry to whom he gave his Tythes, and the Mediation of those Saints in honour of whom he granted the Charter.*" I have already proved, That T. E. falsely supposes King *Ethelwolph* to have held all the Opinions of the present Church of *Rome*; and particularly, That he did not expect Pardon of his Sins by the Merits of his Good Works. *Alcuinus* gives us the sense of the *English Church* in those days, who saith, "*He onely can deliver us from sin, who came without sin, and was made a sacrifice for sin (a).*" The Saxons believed that Pardon was merited onely by *Christ's* Death; onely they did esteem Good Works a good evidence of their Repentance, and a Motive

(a) *Alcuin.*
l.4. in *Joh.* 8.

Motive to God to accept them to that Pardon which was merited only by *Christ's* Death: which Opinion is much favoured by those Scriptures, *Prov. xvi. 6. Dan. iv. 27. Mat. iii. 8. Luke xi. 41.* and maintained by the most Orthodox Fathers: For instance, *Lactantius* (no Papist for certain, as living *An. 310.*) saith, "*Great is the reward of Mercy, to which God hath promised the Remission of all sins* (b). And for obtaining this Remission by the help of that Ministry (*viz. the Saxon-Ministry*) to which he gave his *Tythes*; no wise Man will deny, but that there was a True Church in *England* in those days: and if in that Church, and by that Ministry, no Pardon could be had from God, then there was no Salvation to be had in this Nation at all in that Age, no nor in any Nation in *Christendom*; which is a strange Assertion. As for the Saints, we have shewed, *T. E.* is mistaken, in thinking they then did believe the Saints usurped *Christ's* Office.

(b) *Lactant. Inst. l. 6.*

Office. *Ethelwolph* honoured the Saints, and so do we now ; but neither he nor we worship them, or expect Pardon by them. But we need not plead thus, since *T. E.* fallily makes this a Consideration for which he gave *Tythes*. Did that good King covenant with God, or his Priests, that they should give him Remission, or else this Gift to be of no effect ? Was it inserted as a Condition or *Proviso* ? He hoped indeed Remission of Sins might follow, through *Christs* Merits, Gods Mercy, and the Churches Prayers ; but he did not Indent with God for it. And indeed, the main Consideration was, That the Clergy might pray for the whole Kingdom, without the hinderances of Want and Worldly Care, as the words of the Charter shew : And this Consideration is not taken away, but observed to this day. Again, If the King did fail of his Hope, and could not finally get Remission in that Church (which is a malicious Supposition), this will not make his

Charter

Charter void: For, if a Father, in consideration of his affection to his Son, and for his Provision, settle part of his Estate on him, being inwardly moved thereto by the hopes he will be dutiful; the Sons undutifulness may disappoint the fathers hopes, but doth not vacate his Settlement, unless it were expressed and provided; That the Deed should be void upon the Sons disobedience. Finally, If we suppose *Ethelwolph* as much a *Papist* as King *Stephen*, mentioned by *T. E. pag. 332.* yet his Donations to Pious Uses must stand good, even though the Opinion of Merit had been the Motive to him to make them; or else *T. E.* revokes all the Charters and Donations made in those really *Popish* Times, to never so good and pious Uses; which all Men will confess is most absurd. So that let us grant the *Quaker* all his own asking, and still his malicious Conclusions will not follow.

§. 32. I hope by this time the Reader will see how little truth
N there

is in that Saying, *pa.* 327. “ *If Tythes*
“ *were ever due to any by vertue of*
“ *this Gift, it must be to the Popish*
“ *Priests ; for to them they were gi-*
“ *ven.*] This we have shewed to
be a gross mistake before, *§.* 17. and
we will onely note, That King *Ethel-*
wolph's Clergy agreed with the Pro-
testant Church of *England* in more
Points, than with the modern cor-
rupt Church of *Rome* : And since
the *Donors* gave them not to a *Popish*
Clergy, but to God and his true Mi-
nisters ; our Kings and Parliaments,
that took them away from the cor-
rupt Clergy (who were fallen into
Poperie), and settled them on the true
Protestant Ministry, did observe
therein the Intention of the Donors,
and did apply *Tythes* to the right use
for which God intended them. And
since the first Donors did not settle
them on the Popish Clergy, and the
present Laws have given them to
the Protestant Clergy, I know not
what Title the Popish Priests can
justly have to them. And now one
would

would think *T. E.* were some great Enemy to the *Popish Priests*, and one that was concerned for the *Protestant Religion*; but he and his *Quakers* are renounced by all sound *Protestants*, and are the very Darlings of the great Agents for *Rome*: Their Doctrine of *Perfection*, despising the Letter of *Scripture*, pleading for *Ignorance*, relying on the Merit of following the Light within them, &c. are *Popery* in disguise; they learn their Lesson from the *Papists*, and are doing their work for them, while they dig up the very Foundations of the *Protestant Religion*, and set *Protestants* one against another, since this is the way to give *Rome* an easie Victory. So that though *T. E.* use the Name of *Popish Priests* to gull the People, yet he is one of their Journey-men, and, with his Party, are the most desperate Foes of the *Protestant Interest*, next to their *Popish Masters* who set them on. And truly he deserves a Fee from the *Popish Priests*, for pleading so earnestly

that the *Tythes* are due to them ; but since, like the rest of his Arguings, it proceeds upon a mistake, it will do us no harm. Proceed we therefore to his Charge against us.

§. 33. However, he will by no means allow the *Protestant Clergie* have any Right to them, since pag. 329. "*The Clergie now do nothing for the People (nor indeed have nothing to do) which can deserve such compensation.*" The *Quaker-Speakers* have nothing to do indeed for their People, because they are all taught of God immediately : but our People profess they need outward and mediate teaching, so that we have enough to do ; and certainly we do as much for the People, as ever was done by any *Clergie* in the World: We pray for them, preach to them, administer the Sacraments duely among them ; we Marry, and Bury ; we visit the Sick, relieve the Poor, comfort the Sad, reprove Sinners, confute Hereticks, and shew the folly of *Elwoods, &c.* We do all that the

the Laws of God, of the Church, or of the Land require of us ; and (as *Foreign Protestants* have said) are generally as laborious a *Clergie* as ever was in any Age since the Settlement of *Christianity* ; being always ready to perform any Divine Office which our People need or require. And if a *Quaker* say, “ *All this is nothing at all, or worth nothing to him.*] I reply, That the Jewel was worth a great deal in it self, which yet *Æsop’s* Cock counted worth nothing, and preferred a Barley-corn before it : And Divine Administrations are not less worth in themselves, because such Cocks prefer a *Tythe-sheaf* before them all.

§.34. To revile those things which are established by Law, is to reproch the Law it self, and accuse as well the Makers as the Executors of that Law : wherefore T. E. in calling *Tythes* “ *a great Oppression, and a foul Abuse,* pag. 331. insinuates to his seditious Followers, That our Laws are Oppression, and our Law-

makers Oppressors and Abusers of the People. And to make it still more evident that he is one of those Hereticks which S. Peter and S. Jude prophesie of, he that is not afraid to *despise Dominions and speak evil of Dignities*, in the very next words shews, *he speaks evil of the things he understands not*, 2 Pet. ii. 10, 12. Jude ver. 8. & 10. For, being ignorant under what Notion our Laws do establish Tythes, he asks, *ibid.* "What Laws are they that have made Tythes a Free-hold? Methinks if he doth not know the sense of our Laws and Lawyers in this Point, he is scarce fit to dispute this matter; but the Lawyers must consider, he is an *Inspirado*, and knows all things by immediate Teaching, and therefore thinks his Revelations will enable him to expound the Laws of Man, as well as the Laws of God; so that he is a Councillor, as well as a Divine. Yet alas! this unlucky way of Teaching cannot secure him from gross mistakes; for pag. 333. he

he saith, The Statute of 27 *Hen.* 8. is the first Parliament-Law for Payment of *Tythes*; whereas the very first Law in the Statute-Book is a Grant for the Churches enjoying her Rights inviolable; which Law was repeated and confirmed in very many Parliaments after, as the Statute-Book declareth. Again, He saith, That Law of 27 *Hen.* 8. was made by a *Popish* King and Parliament, whenas that very Statute declares the King *Supreme Head of the Church of England*, as T. E. may see, if he read it over: And how they can be *Papists* that have renounced the *Popes* Authority, I cannot well understand. Again, pag. 333, 334. he mistakes a Statute made in 32 *H.* 8. cap. 7. for a Statute made in 37 *H.* 8. and after a while he brings in *Protestant* King *Edward VI.* for a *Popish* Confirmer of *Tythes*: But still he knows not, that our Laws do make *Tythes* a *Free-hold*. Wherefore I shall first tell him what a *Free-hold* is in the sense of our *Law*, and then I

shall examine whether *Tythes* be not such an Estate. “ *A Free-hold* (according to the Definition of our famous and ancient Lawyer Britton) “ *is a Possession of the Soil, or Services issuing out of the Soil, which a Free-man holdeth in Fee to him and his Heirs, or at least for term of his Life* (c). Cowel’s *Interpr. verb. Free-hold. Exposition of Law-Terms* saith the same. Now *Tythes* are a Possession of a Service issuing out of the Soil, which a Free man holdeth for term of his life : Ergo, *Tythes* are a *Free-hold*. Again, Another later Author saith, “ *Frank-tenement, or Free-hold, is an Estate that a Man hath in Lands or Tenements, or other Profits, to be taken in Fee-simple Tayl, for Term of his own Life, or for Term of anothers Life in Dower, or by the Courtesie of England : and under that there is no Free-hold ; for he that hath an Estate for Years, or holdeth at will, hath no Free-hold of those Estates* (d). Now *Tythes* are an Estate

(c) Brit. c.
33.

(d) Sheph.
Grand A-
bridgm. tit.
Frank ten.
§. 1.

Estate that a Man hath in certain Profits issuing out of the Land, to to be taken for term of his own life ; and are not an Estate holden for years, nor at will : *Ergo*, They are a *Free-hold*. Besides, I shall prove, §. 40. That they are an *Ecclesiastical Inheritance, collateral to the Estate of the Land out of which they come*. See also *Shepherd's Abridgment*, tit. *Tythes*, pag. 99. & 100. Now an Inheritance is generally taken for a *Free-hold*: And that the Practice of our *Laws* do manifest the same thing, may be seen in that famous Case in *Dyer*, fol. 83. n. 77. of 7 *Edw.* 6. where (upon the Statute of 32 *H.8.c.* 7.) an *Assise* was brought *De libero tenemento de quadam portione decimarum*, of a *Free-hold* for a certain portion of *Tythes*. And in the very Statute of 32 *H.8.* there is mention made of " *an Estate of Inheritance or Free-hold in Tythes*. And in the Countess of *Oxford's Case*. 5 *Jacob.* a *Writ of Dower* was brought of *Predial Tythes*, *Cook* 2 part, in *Priddle* and *Nappers Case*.

(e) See
*Hugh's A-
 bridgment,*
tit. Dismes,
§. 1. num. 9.

Case (e). But *Tenure in Dower* is one kind of *Free-hold*, as was shewed before. It appears therefore, that *Tythes* may be sued for at Law in the same manner as other *Free-holds* may; and therefore our Laws do esteem them no other than a *Free-hold*. And it is a miserable shift of the baffled *Quaker*, to pretend they are onely a *Free-hold* to the *Laity*, and not to the *Clergie*; since it is evident, that when some of the *Tythes* were alienated, those very Laws which made the Alienation, did not give the *Laity* any other Estate in *Tythes* than such as the *Clergie* had before, and such as the rest of the *Clergie* had then to the *Tythes* remaining in *Ecclesiastical hands*. And though the *Clergie* have a better Right to *Tythes in foro Cæli*, yet *in foro Soli* they have not a less Right to them than the *Laity* now have, by the Laws of this Land: Nor hath a *Layman*, who is an *Impropriator*, any more, better, or other ways to recover his *Tythes*, than the *Clergie* have:

So

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So that either the *Quaker* must grant the Law makes them both *Free-holds*, or neither of them, since the same Laws and Method of Prosecution are concerned in the Security of both these sorts of *Free-holds*. We may see therefore what rare Effects Ignorance and Confidence can produce, since they can inspire a raw *Quaker* to give his Opinion contrary to the most famous Oracles of the Law, and to fancy he can confute the whole Bench of Judges by his empty Falacies. I will onely tell this puiſne Man of Law, That if he can prove *Tythes* to be no *Free-hold*, he will discharge thereby the *Clergie* from divers Publick Burdens which they lie under, as other *Free-holders* do; from which they have far more reason to be exempted, than the *Quakers* have from paying *Tythes*: yet they quietly submit to the payment of these Impositions for their *Free-hold* in *Tythes*, neither do they call these Customs by the odious Names of *Oppression and foul Abuses*; by

by which it may be seen, whether are the patienter Men of the two, the *Priests*, or the *Quakers*; and which are the better Subjects and juster Persons, those who submit to the Laws and Customs of their Country, and give unto all their Dues; or those who revile the *Laws*, and detain Mens Rights from them. But, *Ne sutor ultra crepidam*: I must not imitate *T. E's* Extravagances, while I do reprove them; nor dare I say any thing in the Profession of other Men, but with all due submission to such as are better learned in our *Laws* than I can pretend to be, to whom I shall freely confess my Errors, if I have said any thing on this Subject that they shall not approve for *Law* and *Reason*.

§. 35. The *Quaker*, p. 334. thinks to overthrow these *Laws* and *Statutes*, by repeating his old baffled Falshoods, viz. "That they were grounded on this false Supposition, "That Tythes were due to God and "Holy Church."] But we have proved this

this was a true Supposition, and maintained by the Primitive Orthodox Fathers ; so that nothing is more false than his saying again here, "*This was a Doctrine purely Popish, and hatch'd at Rome.* And since these *Statutes* were grounded on a *Primitive* and a *Protestant Doctrine*, the *Statutes* are therefore good. Again, He saith, pag. 335. "*A Man cannot claim that by a Temporal Law, as a Temporal Right, which that Law commands to be paid as a Divine Right.*"] Whereas all the World knows, two Titles to the same thing, being subordinate to one another, do strengthen each other. As a Father (having a Maintenance reserved out of the Profits of his Sons Estate, mentioned in those Deeds which settle the said Estate on the Son) though he had a Right to be maintained by his Son *Jure Divino*, may claim a Maintenance by vertue of these Deeds *Jure Humano* ; and the second Title strengthens, but doth not destroy the first. He goes on to ask, pag. 336.
"Whether

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*“Whether the Property be vested in
 “the Person of the Priest, or the Of-
 “fice ?”* I reply, An Office is capable
 of being vested in a Property ; and
 the present Person who sustains that
 Office hath this Property vested in
 him during his Life, with Remain-
 der to his Successors for ever : As the
Elwoods Family may be endowed
 with an Estate in Tail, the Property
 of which belongs to that Family, and
 is specially vested in the present
 Heir ; but whether in the Man, or
 the *Elwood*, is hard to tell. Again,
 He makes himself sure of that which
 none but a wild *Quaker* could ever
 so much as once suppose ; viz. *“To
 “be sure (saith he) the Office of
 “Priesthood was Popish ; and the Of-
 “fice it self being now laid aside, the
 “Property vested in it must be gone
 “along with it.”* He must be under
 some degree of Frensie, who can
 persuade himself, that there are no
Priests now, or that the *Reformation*
 laid the *Office* aside : That had been
 a *Reformation* as wild as a *Quaker*
 could

could project. Doth he think that any body will grant these doting Fallhoods? No *Protestants* (that ever I knew) held the Office of *Priesthood* to be *Popish*. And truly, *T. E.* thy Suppositions will not be granted by any, but those who are as senseless as thy self.

§. 36. I should tire the Reader, if I followed him in the examining all his Mistakes; but one piece of his Skill in *Law* must not be omitted, p. 337. That whereas the *Law* hath ordered the Husbandman to set out his own *Tythes*, before the *Priest* take them; "*This shews (saith T. E.) That the Priests Title to Tythes lies in the Gift of the Owner: And yet he confesses, That the Law enjoyns him to set it out under a Penalty, which Penalty he incurs if he do not so set it out.*" It is an odd kind of Property which we have to a thing, that we may not keep in our possession; and a strange Gift, which we must give whether we will or no, and be punished if we do not give it.

T. E.

T. E. might as well have argued, The Husbandman had a Property in his Tythe-Hay and Corn, because he must mowe and reap it; whenas all these, Moweing, Making, Reaping, Binding, &c. are onely designed by the *Law* to ease the Ministers of Secular trouble, that they may have their *Tythes* made ready to their Hands, and so have more leisure to attend Sacred things. But we will give him a parallel Case. There are many Free-Rents and Customary Payments, which the Person charged with them must bring to such a House, in such a Town, at such a Day, and then and there disseise himself of the said Money, by a Tender thereof to the Lord or his Assigns; which Lord need never demand this Money, and yet may take the Forfeiture, if it be not brought to him, and tender'd. Now will the *Quaker* say, This shews, "*That the Lords Title to this Free-Rent lies in the Gift of him that is bound to pay it, and that the Property of it is vested*"
 "in

*"in him who incurs a Penalty if he
 "do not make it ready, and come and
 "tender it ? T. E. is a rare Lawyer,
 and can make the worst Tenures to
 seem the best, and the Badges of ha-
 ving no Right at all to a thing, to be
 the Marks of Property. If I de-
 lighted to talk like T. E. I might
 pretend it to be a Sign that the Hus-
 bandman had no Property in the
 Nine parts, but by the Gift of the
 Parson, because the Law forbids him
 to lead away any of the Nine parts,
 till the Parson have notice to come
 and take his Tenth. But I scorn such
 fooling.*

§. 37. And now he is forced, pag.
 338. to supply his emptiness of Mat-
 ter by repeating his old, silly, and
 blasphemous Argument, *"That it is
 "ridiculous and unreasonable for any
 "to pretend a Power to dispose of those
 "Profits, or any part of them, which
 "arise from the Labour, Stock, and
 "Care of another, especially after their
 "own Decease ; which I have suffici-
 ently baffled before, §. 30.*

O

here

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here I will onely remark, how that this Argument, if it were good, doth utterly take away all the *Impropriators* Right to their Estates in *Tythes*, how much soever he flatter'd them before, pag. 299. For, are not their *Tythes* (granted to their Ancestors long ago, and by them settled on their Children) a part of the Profits of another Mans Labour, Stock, Care, &c. and do they not claim a Property in them? And doth not *Elwood* tell them, they are *ridiculous and unreasonable Men*, to think any could grant such a Property to them, or that they have any Right to them at present, or can convey them to their Posterity? *T. E's* own words will serve to set out this matter: Let any *Impropriators* read his Book, pag. 225, 335, 336, 338, 339. and then let me bespeak them in *T. E's* own phrase, "*Look to your selves,*
"you whose Ancestors first did buy
"these Tythes of the Crown, or into
"whose Possession they are come now
"by Descent or Purchase: Are you
"satisfied

“*satisfied with the Quaker’s Plea,*
 “*and willing to resign? You hear*
 “*what he says:—And do you not*
 “*think, if T. E. had Power, you*
 “*should not hear of this after another*
 “*manner? He that tells you, Tythes*
 “*cannot be granted or conveyed; if*
 “*opportunity served, would force you*
 “*to restore them to his painful Hus-*
 “*bandman. See Elwood, p.297,298.*

And now you may discern the *Genius* of this double-tongued and false-hearted Man, who talks backward or forward, as may best serve his turn; clawing the *Impropriators*, to engage them to take his part against the *Clergie*; and again, laying down Assertions, that make the *Levites* of old, the *Clergie* and *Impropriators* now, to be a company of *ridiculous and unreasonable Men*, to pretend a Right to *Tythes*, to which none could ever grant them any Right at all. As for *Artificers* paying *Tythes* of their *Gains*, it is no more than what they are obliged to by *S. Paul’s Rule, Galat. vi. 6.* to

give their Pastor a share of all good things ; and it is enjoyned by S. Augustine, and by S. Ambrose, and by divers Saxon Laws cited before. And since they have Souls to save, as well as others, they seem obliged to it in Reason and Conscience. But this is seldom demanded, except in great Cities, where the Laws of the Land enjoin it. Finally, We grant to T. E. Tythes are due out of the Profits onely ; and therefore if God give no Increase, or the Husbandman have nothing grow, we expect no Tythe at all : And how is this unreasonable ?

§. 38. The Quaker will not grant, that his Arguments for taking away Tythes tend to destroy Hospitals and Donations to the Poor, for this Reason, forsooth, pag. 542. “ *Because in*
 “ *that of the Poor there is (saith he)*
 “ *a Settlement of certain Lands in*
 “ *which the Donor had a Legal Pro-*
 “ *perty at the time of the Gift ; but*
 “ *in the Increase of the Occupiers*
 “ *Stock, he that gave Tythes neither*
 “ *had, nor never could have a Pro-*
 “ *perty,*

“*perty, and therefore no power to give.*”] We have noted before, That by his Rules framed against *Tythes*, all Donations made by *Papists*, on consideration of meriting, and expiating their Sins thereby, are void : And this will destroy a great many of these Hospitals, and Gifts to the Poor. Again, By his own confession, all Hospitals endowed out of *Tythes*, and all Gifts to the Poor granted out of *Tythes* for perpetuity, are void : And since in King *Henry* the Eighth’s time there are several such Instances, and the famous Hospital of *Sutton*, called the *Charter-house*, hath one part of its Revenue in *Tythes* ; now if *T. E’s* Argument be good, these Hospitals and Gifts also must necessarily be destroyed, or much impaired. A third sort of these Charitable Donations consist of perpetual Rent-charges, and certain Sums of Money to be paid yearly for ever, out of the Profits of some certain Estate. I my self know an Estate of 40 *l. per Annum*, the Heirs

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whereof for ever are charged to pay 10 *l. per Annum* out of the Profits of that Estate, to the Poor of three Parishes, by the Grant of a pious Person deceased: And there are hundreds of such Instances in *England*. Now the Occupiers of the Lands thus charged, must sell the Fourth or other part of the Profits produced by their Labour, Sweat, Stock, Skill, and Industry, and when it is turned into Money, must pay it intirely to the Poor of those Parishes and Hospitals, who never did any thing for this Occupant; onely because he inherits or is possessed of the Land formerly thus charged by its ancient pious Owner, he must pay such a part of the said Profits. Now *T. E.* overthrows all these Donations also, in affirming, That no Man can charge his Heirs for ever with such a part of the Profits arising out of their or their Tenants Charge, Stock, Care, Skill, many years after the death of the Donor: The Money for these Payments are raised out of the Increase

crease of the Occupiers Stock, wherein, according to *T. E.* no Man (now deceased) ever had or could have a Property, and therefore no power to give: That these Donations also are made void by *T. E.*'s wicked and sophistical Arguings. So that however, the *Quaker* destroys all Charitable Donations, excepting such as are made in Lands given wholly to the Hospitals, or other Poor. And truly these will not stand long neither; for all other Men believe the ancient Donors had not more or better Right to give away the Land it self, than they have to dispose of such a part of the Profits thereof: *T. E.* who questions the one, may question the other also: And thus, that he may starve the *Clergie*, he attempts to starve all the Poor in *England* also in their company.

§. 39. His next Position, *pag.* 343. is, "*That Tythes are a greater Burden than Rents.*" It would seem a Paradox, That Two shillings is a great-

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(f) *Hexam.*
lib. 5.

er Burden than Twenty, but onely that “*Nothing is so easie, but it seems difficult, when it is done unwillingly*, as *S. Ambrose* speaks (f). The *Quakers* pay *Tythes* grudgingly, and of necessity, and therefore they are a Burden to them, for the same Reason that Alms are a Burden to the Covetous, and Tribute to the Disloyal Subject. But *T. E.* not content to discover his own base Humour, *measures all Mens Corn by his own Bushel*; and (as it is the manner of such as are evil themselves) he fancies all Men pay their *Tythes* with as ill will as the *Quakers*, and impudently flanders the whole Nation, saying, “*He doubts not but if every Englishman durst speak his mind, Nine parts of the Nation would cry, Tythes are a great Oppression.*”] Wherein common Experience proclaims him a Liar; there being very few Parishes, where Nineteen parts of Twenty do not pay their *Tythes* freely as any other Dues: and those who are refractory, are onely such

as

as this Seditious Libeller and his Party have stirred up. There are some indeed who cry out against all Publick Payments ; and these do call not onely *Tythes*, but the Landlords Rents, and Assessments to the King, and Relief to the Poor, great Oppressions : But such Persons Clamours are no Argument, since the best and wisest part of the Nation pay their *Tythes* freely. But *T. E.* alledges, he hath Reasons to prove his Assertion by ; viz. 1. "*The Tenant hath the worth of his Rent of the Landlord, but of the Priest he receiveth nothing at all.*" I answer, The Heir of an Estate charged with a perpetual Payment to the Poor, receives nothing from the Poor to whom he pays the Money ; yet this is no Oppression. Again, The Tenant receives as much from God, as he doth from his Landlord : for we think, that Land is not more necessary to the Increase, than God's Blessing ; and upon that Consideration our pious Ancestors obliged their Heirs
for

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for ever to give God his part of the Profits, because both they and their Heirs were yearly to receive all their Increase from his Blessing. "*Of all things which God gives (saith King Edward the Confessor) the Tenth part is to be restored to him, who gave us the Nine parts together with* (g) *Leg. c. 9. the Tenth (g).* Now the Priest is but God's Steward and Receiver; and if it were true, that the Tenant did receive nothing from the Steward of God, yet he might justly pay him *Tythes* for his Masters sake, from whom he receives all. The Tenant receives nothing from his Landlords Steward, and yet he pays his Rent to him, or to any other whom his Landlord assigns to receive it. But after all this, the *Quaker* is a notorious Falsifyer, in saying, *The Tenant receives nothing from the Priest*: for he receives his Prayers and his Blessing, his Preaching, and other Administrations, which in *S. Paul's* account are worth more than ever can be compensated for on Earth, 1 Cor.

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ix. II. 2. But, saith T. E. "*Rent is a voluntary Contract, and Volenti non fit injuria; but Tythe is not voluntary now, but taken by force*". Very good! By this Rule then it appears, That *Tythes* are not (as he falsely affirmed but now they were) "*a general Oppression* : for the generality pay them willingly; and many thousands contract with their Landlord and their Parson to pay them as voluntarily, as they do to pay their Rents : To all these therefore *Tythes* are no Oppression, by T. E's own Rule. Nor are they indeed any *Oppression* in themselves; onely they seem so to such as pay them unwillingly, to Quakers, Atheists, and Covetous Persons. Yet all things are not Oppressions that are paid involuntarily; for some Knaves will pay no just Dues to any without compulsion, and yet such Payments are just, though we be necessitated to take them by force. Nor are all Payment Oppressions, which we do not voluntarily contract for; T. E. must beware

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beware of that Assertion : for he never contracted with the King to pay him *Hearth-money, Custom, Tribute, &c.* and yet these are no Oppression. But not to destroy his Rule, Will *T. E.* be content with his *Quakers* to pay *Tythes*, if I can prove they did voluntarily contract to pay them? If so, I thus make it appear. Whoever takes a Farm, either *Tythes* are mentioned in the Contract, or they are not : If they be mentioned, then care is taken expressly, that either the Landlord or the Tenant shall pay them : If *Tythes* be not mentioned, then the Laws of *England* suppose that the Tenant consents to pay them : For *Tythes* are so known a Charge upon all Land, the Laws have settled them so firmly, and the Nation paid them so long, that none can be supposed ignorant there is such a Charge upon the Land he takes to Farm ; and therefore if he take the Land liable to this known Charge, and doth not expressly covenant his Landlord shall pay the *Tythes*,

Tythes, both Law and Reason will interpret this a Consent and Contract to pay them; it being to be presumed, if he had not consented to this Charge, he would have left the Land and it together. The *Quakers* therefore must either take no Farms; or if they voluntarily contract for the Land, they voluntarily make themselves liable to *Tythes*; and so they are no Oppression, no not to them who had rather there were none to be paid: For no doubt the *Quakers* could wish rather there were no Rent to be paid neither; and they voluntarily covenant to pay Rent, because they cannot enjoy the Farm without that Charge: no more can they enjoy it without this of *Tythes* neither, which, like the very Rent, is a kind of forced voluntary Contract also, even to the very *Quakers*.

§. 40. T. E. comes, pag. 344. to his last Reserve, viz. That *Tythes* were really purchased by the Owners of *Estates*: Which if he can make out,

out, that alone will do his business: and he thus proves it. "*They purchased* (saith he) *all that was not excepted out of the Purchase: but Tythes were not excepted; therefore the Purchasers bought them, and may sell them again.*" This is the *Quakers Law*; but if our greatest *Lawyers* have any skill, this is a notorious falshood: for they say, "*Tythes are an Ecclesiastical Inheritance, collateral to the Estate of the Lands* (h). And more plainly, "*Tythes are not extinguished by a Feoffment made of the Lands; by a Demise of the Lands, with all Profits belonging unto, or out of the same, they will not pass* (i). Now what insolence is it for this Novice to make his *Quakers* believe that for *Law*, which is contrary to the best Opinions, and to plain adjudged Cases? But his mistake will more fully appear by this Case. *A* purchases an Estate in *B*, of *C*, the *Tythes* whereof are Improprate, and belong to *D*: Now will the *Quaker* say,

(h) C.2. par. 13 b. in Priddle & Napper's Case.

(i) 7 Ed. 6. Dy. 84. 3^l Eliz. in C. B. Parkins case adjudged.

say, That *A* purchases *D*'s Estate in the Tythes, without his knowledge or consent, by vertue of the general Words in the Conveyance from *C* ? If so, the poor *Impropriator* hath an ill Bargain ; for then *C* may sell *D*'s Estate in Tythes, and *A* buy it, and he receive nothing for it. Now if the *Impropriators* Estate in Tythes do not pass by the general Words in the Conveyance from the Seller of the Land, no more doth the *Clergie-mans* Estate in Tythes so pass. Yea, *T. E.* is so far mistaken in thinking general Words include *Tythes*, that if the Lord of a Mannor, whose *Tythes* belonged to the *Clergie*, should expressly declare in his Deed of Sale, That he did sell the *Tythes*, such a Clause would not give the Buyer the least Right to them : For, private Contracts can make no alteration in things determined by the publick Laws : *Ex solenni Jure, privatorum conventionione nihil quicquam immutandum est (k).* But this matter is *(k) Reg. Jur. 27.* so plain, that the *Quaker* fraudulent-ly

ly leaves out those Words of the Conveyance which would have discovered his Knavery in this false Assertion: for thus he cites the words of the Deed (to prove that the Purchaser buys the *Tythes* with the *Land*). The said "A grants, bargains, sells, &c. all that, &c. with its Appurtenances, and every Part and Parcel thereof, and also all the Estate, Right, Title, Interest, Property, Claim, and Demand whatsoever, &c. There he stops with an [&c.], because his shallow Reader should not see what follows in the Deed, viz. ["*Estate, Right,*] — which " *I the said A have or ought to have in the Premises* : Which Words do manifest, that the Purchaser buys no more Estate or Right than the Seller had to or in the Premises : And indeed he could purchase no more; for, "*Nemo plus Juris ad alium transferre potest, quam ipse habet*." (1). The Seller did not purchase the *Tythes* himself, nor did they descend to him from his Ancestors, but

(1) Ulp. l. 46.
ad Edict.

but have been a distinct collateral Estate this many hundred Years, which never passed between Father and Son, Buyers and Sellers, but remained *in statu quo prius*, how many times soever the Land changed its Owners. They were not capable of being sold nor alienated, no not by the consent of the Incumbent himself; since they are an Intailed Estate; and, "*The Church* (saith my Lord Coke) *is always a Minor, and* "*in the state of one under Age (m)* : (m) *In Mag.* And none can alienate a Minors *Chart. p. 3.* Land. And if T. E. would know the Reason why they are not excepted in the Purchase by name, as *Free-Rents* and *Rent-charges* sometimes are, I answer, *Free-Rents* and *Rent-charges*, &c. are laid upon Land by private Contracts, and could not be known (unless they were by name excepted) to be due out of such an Estate: whereas *Tythes* were a publick Donation, and are sufficiently known to the whole Nation, and confirmed by the consent of Kings

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and Parliaments, and so need not be excepted by name, as private Charges are. And yet *T. E.* must know, That if an Owner should sell an Estate in general words, and not except nor mention a *Free-Rent* or *Rent charge*, this would not discharge the Buyer from paying it, nor destroy his Right to whom the said Rent was due. *Caveat Emptor*. Much less can the not excepting *Tythes*, prejudice the *Churches Right*. And thus *T. E.*'s *Law* comes to nothing.

§. 41. In the next place, he presents us, *pag.* 346. with a Demonstration, to prove, That though the Tenant be abated by his Landlord in consideration of his *Tythe*, "*yet the Abatements (saith T. E.) made in the Rents, in respect of Tythes, are not so great as the Tythes.*" I answer, That is none of the *Priests* fault, who is not a Party to their Bargain; But if there be not an Abatement proportionable to so known a Payment, it is either the fault of the Landlord who will abate

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no more, or the folly of the Tenant who consents to pay so much. The *Tythes* are the known Interest of a third person, so that the Landlord cannot justly demand any thing for them, nor the Tenant prudently yield to pay any thing on account of them. But let us hear his Demonstration, or rather Supposition. "*Suppose a Farm of the value of 100 l. per Annum, if Tythe-free, the Landlord abating 10 l. in consideration of the Tythe, lets it for 90 l. per Annum: Now the whole Profits of this Farm he supposes worth three times 90 l. that is, 270 l. per Annum, the full Tythe whereof is 27 l. per Annum; so that the Tenant being onely abated 10 l. in consideration of Tythes, pays 27 l. for them.*" Now all this is a meer *Chymæra*, as I will shew, when I have asked T. E. two Questions: *First*, Why did not his wise Tenant (knowing such a Payment as 27 l. must go out of his Farm) expect, and stand upon more Abatement? He should have yielded to

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pay onely 73 *l. per Annum*, and then all had been right. *Secondly*, If the Landlord abates the *Quaker* 10 *l. per Annum* in consideration of *Tythe* to be paid, Whether is not the *Quaker* a Knave, who puts this 10 *l. per Ann.* in his own Pocket, and will pay no *Tythe* at all? I believe all the *Parsons* in *England* would compound with the *Quakers* after this rate that the Landlord allows. But to examine his Device; we find three faults with this Supposition of *T. E's*. *First*, He supposes the Landlords to be better than usually they are; for I fear there are few Landlords who will or do let a Farm for 90 *l. per Annum*, out of which they know may be made 270 *l.* *Secondly*, He supposes the Tenants to get more Profit than any of them actually gain, or than indeed it is reasonable they should: For, if the Landlord receive onely one 90 *l.* the Tenant hath another 90 *l.* to repay him for his Charge, Care, and Pains in Managing, and a third 90 *l.* the Tenant hath remain-
ing

ing clear Profit to himself ; which is as much Profit as the Landlord himself gets by his own Estate which he purchased : so that the Tenant hath as much benefit by another Mans Estate, as the right Owner. *Thirdly,* And both these Suppositions are meerly to accuse the *Parson* of taking more for *Tythe* than ever he is likely to receive : for what *Parson* did ever receive 27 *l. per Annum* for a 90 *l.* Farm ? Experience teacheth us, that (considering the small profit of Pasture-grounds, together with Customs, ill Payments, and Concealment, &c.) we scarce ever get so much as 20 *s.* for 10 *l.* Rent, unless where there is very much Corn : but take the Church-Livings one with another , and there is not above 9 *l.* a Year made of a Farm upon the improved Rent of 90 *l. per Annum.* Now if the Landlord abates 10 *l.* a year in respect of *Tythes* , and the Tenant pays but 9 *l.* a year, then *Tythes* are so far from being an Oppression, that the Tenant really gains

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20 s. a year by them. But I will not, as *T. E.* make Suppositions at random, but give an Instance of my own knowledge. The Parish of *A* yields in Rents to the Landlords at least 1000 *l. per Annum*: Now, by *T. E.*'s account, the Tenants clear Profits (being generally well used) must be 3000 *l. per Annum*; and the *Tythe* of this, according to *T. E.* comes to 300 *l. per Annum*: But there are credible Witnesses to attest it, That in the best Years the *Tythes* there are not worth 80 *l. per Annum*, which is 20 *l. per Annum* less than 2 s. in the Pound Rent: which 20 *l.* the Tenants clearly gain of the *Priest*; for their Landlords (according to *T. E.*) allow them 100 *l. per Annum* out of 1000 *l.* to pay *Tythes*: And yet there is store of Corn and Hay in this Parish, and not many Customs. So that I dare affirm, this Account will hold throughout *England*, in all Livings taken one with another. So little Honesty or Truth is there in this malicious Slanderer,

who

who cares not what he says, so it may make *Tythes* seem a Burden, and the *Priests* become odious. But from such Religion, *Libera nos!*

§. 42. The like appears from his next Saying, pag. 347. "*The Landlords Dealing is far more merciful than the Priests; for the Landlord allows Two parts to the Tenant for his Charge and Subsistence; but the Priest takes the full Tenth part of the Increase of the whole Farm, and leaves the poor Farmer no consideration for his Toil and Charge.*"] To which I answer, That there are few Landlords who take so little Rent as One part of Three, and few *Priests* get so much as a full Tenth part of all manner of Profits: so that this Argument is faulty on both sides, and halts of both Legs. *Secondly*, If all *T. E's* Falshoods were supposed true, yet the very same thing is done in Annuities, Free-Rents, Rent-charges, Donations to the Poor, &c. the Money is paid intire, and no satisfaction is made to the Occupant for his

pains in raising it ; yet none ever called these Oppression, till *T. E.* appeared We labour spiritually for them, who take bodily pains for us : And indeed the Parishioners give us nothing at all ; but onely this pains they take in making Gods part ready. The Tenth part of the Profits is ours *Jure Divino*, *Jure Donationis*, and *Jure Humano*, and was given to us long before these Occupants were born : And if our Ancestors enjoyned their Successors to give the *Priest* the Tenth part without his taking pains, it was no more injustice in them, than in King *David*, who made *his* part who tarried by the Stuff, equal to *his* who went down into the Battel, 1 *Sam.* xxx. 25. their Employment being as useful to the Publick as the others; though not so full of Bodily pains. But finally, Will *T. E.* say, It is Oppression in the *Priest* to take his full Tenth, and make the Country-man no satisfaction for his pains ? If this be Oppression, then God was the Authour (according

cording to T.E.) and the *Levites* the
 Instruments of Oppression, since they
 were ordered to take the full Tenth
 without any Compensation : He
 must call the Levites *Chaldeans and*
Sabeans as well as us ; *for they sell on*
 (as he calls it) and swept all the
 Tenth away : And now *the Servant*
is not above his Master ; if he call
Almighty God , the Master of the
 House, *ridiculous, unreasonable, un-*
just, and an Oppressor , we will sit
 down quietly under the same Repro-
 ches, lamenting to see whither his
 rage against us hath carried him,
 even to the height of Blasphemy ;
 so that to him may be applied that
 of the Prophet, *Surely the spiritual*
man is mad, Hosea ix. 7. To let him
 alone therefore, I will tell more so-
 ber Men how the Country-man is
 compensated for his pains. S. Au-
 gustine saith, " *God gives us all the*
" Nine parts, in compensation for our
" pains, in providing the Tenth for
" him. But Sir Henry Spelman is
 more particular, who observe, That
 Seven

Seven is the *Sacred Number*, and the part often appropriate to God: wherefore as God hath the Seventh part of our *Time* in his *Sabbaths*, so he should have had a full Seventh part of our *Profits* also, but onely that we contribute our pains towards the raising these *Profits*, whereas toward our *Time* we contribute nothing (*Life* and *Time* being God's immediate Gift): whereupon God takes his full Seventh part of our *Time*, but gives us back Three parts of our *Profits* in compensation for our pains, and in stead of a Seventh, he is contented with a Tenth part of our Estate. I will onely add, That the *Priests* Payment is more merciful than the Landlords; for the Landlord expects his full Rent, be the Year never so bad, or the Profits never so few and small; but the *Priests* part cannot exceed the Increase; if it be little, he hath but little; if God gives much, the Country-man is able to pay more. And indeed the *Priest* is hereby oblig'd to sympathize with
his

his Neighbours, since he is a Sharer in their Gains and Losses; and so the Husbandman and the *Priest* ought to have the same care for one another.

§. 43. If the *Quakers* were not an ignorant and credulous sort of Men, they would not believe so gross an Untruth as his next Assertion is, pag. 348. viz. "*That the Charge is much heavier upon the People now, than it was under the Levitical Priesthood.*"]

For the Learned *Selden* computes, That the Tribe of *Levi* had three times as much Annual Revenue as the greatest of the Twelve Tribes. And first, for their *Tythes*, *Scaliger* thus computes it: Suppose a Man had 6000 Bushels of Grain in one year; out of this was to be taken the *First-fruits*, which must be 100 Bushels at least, and then remains 5900 Bushels; out of which was paid the *First Tythe* to the *Levites* in kind, 590 Bushels: then remained onely 5310 Bushels, out of which was taken the *Second Tythe* for a Feast at *Jerusalem*, 531 Bushels: So
that

that the Husbandman had but 4779 Bushels remaining to his own Use, having paid 1221 Bushels out of 6000, that is, above a Sixth part, and 19 Bushels out of every 100, which is near twice as much as is now paid to the *Christian Priests*; which Account T. E. may find in one of his Country Authors, *Godwin. Antiq. lib. 6. cap. 3.* which shews his fallshood as to *Tythes*. Secondly, He objects, "*The Levites had no share in the Division of the Land; so that the other Eleven Tribes had all the Land between them, which was some compensation for their Tythes.*" The *Levites* had not any intire Country set out together, as the other Tribes had; but for convenience of instructing the People, they were dispersed so as to have fair Possessions in every Tribe; for God himself appointed them xlviii Cities, with 2000 Cubits round without the Walls, for Pasture for their Cattel, *Numb. xxxv.* of which Six were Cities of Refuge, which was a better proportion

proportion than our Glebe-Land, and in value might be esteemed the Twelfth part of the Land of *Canaan*: Wherefore *T. E.* is mistaken again, in affirming the *Levites* had no share in the Land. *Thirldly*, He alledges, That "*the present Clergie have Offerings, as well as the Levitical Priests.*" And here he hath a large Bill of Names, some of which we never heard of; and yet he ends with an *&c.* as he uses to do when he can reckon no more: but after all this, the Sums paid for some of these are so small, and the others are so occasional, that the present *Clergie* get not half so much in one year by these, as the *Levites* and *Jewish Priests* did in a few Months by their Offerings: For, 1. They had their part of all their Sacrifices and Offerings made in the Temple. 2. Their share of all the Feasts made there. 3. A part of all Free-will Offerings and voluntary Oblations, three times a year all the *Jews* coming up to *Jerusalem*, and none coming empty. 4. The

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4. The First-born of Cattel, or the Price ; as also the Price for Redemption of all the First-born of Men, at Five *Shekels* apiece, *i. e.* 12 s. 6 d. of our Money, *Numbers* xviii. 16.

5. The Price of Persons dedicated by Vow, coming sometimes for one Person to Fifty *Shekels*, *i. e.* 6 l. 5 s. of our Money, *Levit.* xxvii. 2. with other things there mentioned : So that our Offerings are not valuable in respect of theirs. *Fourthly*, He urges, "*That all the Officers of the Temple were maintained out of these.*" Pray' what [*all*] was there to be maintained ? None besides the *Levites*, except the poor *Nethinims*, who were *Gibeonites*, and did the drudgery of the Temple : All other Officers of the Temple were *Levites*, who had none to keep but these *Nethinims*, which were their Servants for all mean Offices. *Fifthly*, He says, "*Out of the Tythes provision was made for the fatherless, the widow, and the stranger, Deut.* xiv. 28, 29." This is another mistake, if

if he mean these were provided for out of the *Levites Tythe*. T. E. had need go and read over *Godwins Antiquities* (n), where he will find this Provision was not made out of the first or *Levites Tythe*, but out of the second *Tythe*, which was to be spent in Feasts at *Jerusalem* two years, and the third to be laid up at home for the *Levite, the fatherless, the widow, and the stranger*; so that the first *Tythe* was still paid intire, and the Maintenance of these indigent Persons went out of the Peoples Profits: So full of ignorance and mistakes is this Man in every thing he deals with. We conclude therefore, That the Charge is much easier now to our People, than it was to the *Jews* under the *Levitical Law*.

§. 44. In the *Conference* you had given two Reasons why the Apostles took no *Tythes*: 1. Not of the *Jews*, because their own *Priests* were in possession of them: 2. Not of the *Gentiles*, because of their unfixed Station. To this T. E. replies, pag. 351.

“ I

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“ *I pray’ who fixed your state of life?*
 “ *who divided Provinces into Parish-*
 “ *es, and set up Parish-Priests? Was*
 “ *it not a Pope?*” Never did any
 Man pretend to write of things he
 understood so little, as *T. E.* doth of
 Ecclesiastical Matters. This all-know-
 ing *Quaker* doth not understand,
 that the Apostles themselves fixed
 Bishops and Pastors in the several
 Cities they had converted, *Timothy*
 at *Ephesus*, *Titus* in *Crete*; giving
 them Commission to ordain and fix
 others in lesser Cities. He knows
 not how *Eusebius*, and other Histo-
 rians, reckon up the very Persons in
 all eminent Churches, ordained and
 fixed there by the Apostles. It will
 be news to him, to tell him, That in
 the very beginnings of *Christianity*,
 wheresoever the Gospel was once
 planted, there were strict *Canons*
 made against the *Clergie* of one *Dio-*
cess going into another to Officiate.
 Let it suffice to tell him, That the
 General Council of *Chalcedon* or-
 dains, “ *That whatever Clergie-man*
 “ *was*

"was ordained without a Nomination
"to some certain Church wherein he
"was fixed, his Orders should be
"null (o). And to let him see we (o) Can. 6.
 had a fixed Clergie in Britain long
 before *Augustine's* coming over, he
 may read in a *Synod* held by *S. Patrick*
 among the *Britains*, Anno 456.
 this Canon: "Let there be no wan-
 "dering Clergie-man among the Peo-
 "ple (p). The *Britains* also had (p) Can 3.
 fixed Archbishops, and Bishops, and ap. Spelm.
 Priests, long before the Popes of Rome
 so much as directed any thing here:
 And when the *Saxon Heathens* (who
 had disordered all things) were con-
 verted to *Christianity*, *Honorius* fifth
 Archbishop of *Canterbury* first divi-
 ded all the Country in his Province
 into *Parishes*, that he might allot to
 every several Minister a several Flock
 to take care of (q); though *Spelman* (q) *Godwin.*
 attribute this to *Theodorus*, about *de Præsul.*
 twenty or thirty years after: But *Angl. p. 59.*
 none can suppose this was the first *circa annum*
 fixing of *Parish-Priests*, onely the 640.
 first after the sad Inundation of *Sax-*

on Paganism. And now we see *T. E.* hath neither Learning nor Truth in him, who attributes our *fixing* to a *Pope*, when the Apostles themselves shewed the way in this Practice, not intending that any *vagabond Speakers* should be allowed, after once the *Christian Church* was settled.

§. 45. I hope when *T. E.* considers how wonderfully God opened the Hearts of the first *Christians*, not onely to give the Apostles Meat and Drink, but to sell all, and give the Price to them, he will upon second thoughts correct that Passage, *pag.* 352. and allow this to be an extraordinary and miraculous Providence of Gods, to encourage their first Beginnings. And since all those fervors and excesses of Charity are now ceased, I think we have reason to admire the Wisdom of our Ancestors, who provided a fixed and certain Maintenance, because there was no likelihood of such Miracles of Charity to be found in after-times. *T. E.* saith indeed they sold their Estates *voluntarily,*

voluntarily, pag. 353. which is most true; and we do not desire any to sell them *involuntarily* now : But when our People sell all voluntarily as they did, we will quit our Claim to *Tythes*; till then, we desire the *Quaker* will let us quietly enjoy our ordinary Maintenance, and we are well content.

§. 46. When you soberly advise the *Quakers* to pay their *Tythes* for Conscience-sake, in Obedience to the Kings Command, T. E. replies, pag. 354. "*We must not for Conscience-sake yield an Active Obedience to every Command of a King.*" He misses the Mark again : for the paying of Money, or Money-worth, when our Lawful Governors impose it, is a piece of Passive Obedience. If the King should bid the *Quaker* turn *Minister*, and take *Tythes*, his doing that, were *Active Obedience* : but to pay them (especially unwillingly, as the *Quakers* do) is a piece of *Passive Obedience*, to which a Man ought to submit quietly for Conscience-

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ence-fake, and in point of Obedience to the Authority imposing it, though it be never so much against his Judgement. Thus our Saviour submitted to pay Tribute, which ought not to have been exacted of him, *Mat. xvii. 24.* And *S. Paul* commands the *Christians* to pay Tribute and Custom to the *Heathen Emperours*, though they used it to Idolatrous and wicked purposes: The *Christians* liked not the use they put their Tributes unto, but yet they submitted to the Payment. Thus the poor *Greeks* pay great Contributions to the *Grand Signior*; and, if I mistake not, the *Protestants* of *France* pay *Tythes* to the *Popish Clergie*; and the late oppressed *Royalists* paid *Assessments* to the *Parliament*, and paid *Tythes* to Men invested in Livings according to the *Laws* then in being, though they did not esteem all of them Lawful Ministers. If the Payment imposed be never so unjust, I do not sin in paying it; he sins that imposeth it: but if he be my

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Governour, I will submit for Conscience-sake, and suffer this Payment as I am obliged to do other Penalties and unjust Impositions laid on by just Authority. So that doubtless the *Quakers* are in a great mistake, in fancying they shall sin in the paying *Tythes* in obedience to Humane Laws, and chusing rather to go to Prison; since they may as well submit (I think) to (what they account) an *unjust Payment*, as to (what they call) an *unjust Imprisonment*. If I were in their case, I could pay my *Tythes* in obedience to the Laws of the Nation, though I did believe the Law never so unjust; because this Payment (to one so opinionated) is a Penalty, and his Obedience therein meerly passive. And truly I cannot remember ever to have read of any sort of People in the World before, who counted it a Sin to pay an Imposition supposed unjust; which is no more a Sin, than to be Stockt or Whipt, to be Fined or Imprisoned; all which we may

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submit to without sin. Which Point I have been the larger in, because the not understanding of this, hath brought much trouble on these deluded People: This may shew them, it is no sin to pay *Tythes*, though it were a sin in the Law to command them, and in us to take them: But I hope I have now sufficiently shewed it is none; and I wish I might rectifie their Opinion, and then they might pay them freely.

§. 47. The *Quaker* hath nothing to say against the *First-fruits* and *Tenths*, which are a Revenue to the Crown, paid by the *Clergie* out of the *Tythes*, but onely that, pag. 355. "*This Flower once stuck in the Triple Crown.*"] But His Majesty will not so easily be wheedled out of so great a part of His Revenue, and so clear an Acknowledgment of His *Clergies* Subjection to him. And that the *Quakers* may know what Injury they do to His Majesty, in attempting to take away the Maintenance of the *Clergie*, let them know, That the
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First-fruits of the Bishopricks of England, paid to the King, are above 23000 *l.* and the *Tenths* of them, paid yearly, are 2300 *l.* But the inferiour *Clergies Tenths* (arising meerly out of *Tythes*) do pay to the Exchequer yearly 13764 *l.* their *First-fruits* being 137610 *l.* besides all the *Tenths* and *First-fruits* of *Prebendaries*, and other Dignities. And though it cannot be exactly told how much this Revenue is yearly, yet as nigh as we can compute, His Majesty receives near 30000 *l. per Annum* out of the Revenues of the *Clergie*. And supposing all the Livings in England to be void but once in Twenty years, by that rate His Majesty receives from the inferiour *Clergie* alone, out of the *Tythes*, above 20000 *l. per Annum*. All which, these inconsiderate Men would deprive His Majesty of; so that they wound the King through our sides: but no doubt He will defend both us and Himself from all their Attempts.

§. 48. I shall not need now to con-

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fute that frequent and unjust reproch of the *Quakers* calling Ministers *Hirelings*, pag. 356, &c. since I have shewed, the onely Revenues they have are no other than what they have a three-fold Title to; *first*, By the Laws of God and Nature: *secondly*, By the Donation of the right Owners: *thirdly*, By the Laws of this Land. The People do not hire them, they set them not on work, nor do they, out of their own, give them any Wages: They are employed by God, and he hath provided for them, and will one day requite all the malicious Slanders that are cast upon them, and particularly that foul Calumny wherewith *T. E.* hath loaded the Loyal and Suffering *Clergie* of the *Church of England*, who lost their Lives, or their Fortunes, for their Fidelity to the *Church*, and Allegiance to their *Prince*, the Glorious Martyr King *CHARLES I.* These noble Sufferers, who attended their Flocks till they were Sequestred, Imprisoned, Silenced, and by
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Armed Soldiers violently torn from their *Cures* ; These he most wickedly accuses of flying, and leaving their Flocks to the Wolves ; and brands them with the name of *Hirelings* : But this black-mouthed Slanderer may publish his own venomous Impieties, by blaspheming God, reviling our Fore-fathers, speaking evil of Kings, despising Laws, and reproaching the best of Men : but his Dirt will never stick upon such Illustrious Names ; and therefore if he do not repent from a sense of the wickedness of these Crimes, yet he ought in common Prudence to desist from so vain an Attempt, considering he doth blast his own Name, with unsuccessful endeavours to reproch those whom all the World admires and venerates.

§. 49. *T. E.* once more attempts to justify the *Quakers* in detaining *Tythes*, although their separation be voluntary ; but this is sufficiently confuted before, §. 9. And I desire the Reader onely to remember the
Instance

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Instance of the Truant Boys wilful absence from an Endowed Free-School. But, saith *T. E.* pag. 358.

“*Some Ministers are vicious, and such as the Apostle hath exhorted us to withdraw our selves from.*”

But do not *Quakers* separate from good Ministers as much and as well as from bad? A vicious Minister may be a pretence to them who resolved to separate however; but his Vice is not the true cause of their Separation. Besides, He belies *S. Paul*, in saying he exhorts the People to withdraw from a bad Minister; he bids them not withdraw from a *Father*, but a *Brother walking disorderly*, 2 *Thess.* iii. 6. The People may do that to one another, which they may not do to their Governors Spiritual or Temporal. *Secondly*, He runs again into his old mistake, applying *Christs* Directions to his Disciples on a private Mission to Unbelievers, as if it were a standing Rule for Ministers among Believers, *Mat. x. 14.* *Thirdly*, He compares the *Quakers*, in rejecting

jecting our Ministry, to the *Jews* who rejected the Apostles, and judged themselves unworthy of Eternal Life, *Acts* xiii. 46. *Fourthly*, He saith, "*Christ gave his Apostles no Authority to compel any to hear them.*" Yes surely, he bid them go into the High-ways and Hedges, and *compel* those whom they found there to come in, *Luke* xiv. 23. And these among the High-ways and Hedges are "*such as are in Hereses, and Schismatics,*" saith S. *Augustine* (r) to *Bonifacius*, where he observes, the *Donatists* used this very Objection which our *Quakers* now use; and he learnedly proves, That *Gentiles* were first to be invited in, but when the Church is settled, whatever straying Sheep wilfully leave the Fold, these are to be compelled by Laws and moderate Penalties to return into the Fold; alledging, That to compel Men to that which is good, is very lawful, and an act of necessary Charity to their Souls, yea a Duty of *Christian Princes*, and a means which had brought many

(r) *August.*
50 *Epist. ad*
Bonif. Com.

many to see their Errors, and repent. Let *T. E.* read and answer the excellent Arguments in that Epistle, if he can: And withal, let him observe, it is not the *Priests* compel them, but the *Laws of the Land*. The *Priests* indeed see them in desperate *Hereſes* and moſt wicked *Schiſm*, and in pity to their Souls, admoniſh them, warn them, *1 Theſſ. v. 14.* and labour to convince them by Arguments; yea, at length they uſe the Cenfures of the Church, and finally, as the laſt remedy, complain to the Secular Magiſtrate, to try if any thing will bring them to a better mind, knowing, that ſometimes *the rod and reproof give wiſdom*: And this is no more than *S. Paul* threatned, *2 Cor. x. 6.* and acted alſo, in delivering the inceſtuous *Corinthian* to Satan, puniſhing his outward Man for the health of his Soul, *1 Cor. v. 5.* 'Tis no more than a careful Father doth to his refractory Son. “*Let not them therefore*” (ſaith *S. Auguſtine*) *who being in* “*Hereſe and Schiſm are compelled to*”
“*come*”

“come in, reprove us that they are.

“compelled; but consider whither we

“would compel them (s); to Unity (s) *August.*

and Peace, to a right Faith, and to *Epist. 50.*

submission to their Governours; to *ut supra,*

the Service of God, and the Salvation of their Souls. Nor doth our

State use any Capital Punishments,

any *spanish* Cruelties, or *Popish* Fire

and Faggot toward them; but by

moderate Penalties labours to reduce

them: which is no more than the

first *Christian* Emperours did to re-

duce the *Hereticks* of those days, by

Fines, Imprisonment, banishing them

out of eminent Cities, burning their

Books, and prohibiting their Assem-

blies; but still preserving their Lives,

in hopes of their Repentance. And

when our Magistrates imitate Holy

Constantine and *Theodosius* herein,

the *Quakers* most unjustly call it Per-

secution.

s. 50. He adds, pag. 359. “*Christ*

“gave us no power to demand a Main-

“tenance from those who do not re-

“ceive us.] Nor do we demand of

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the *Quakers* to give us one single Penny more than what was given to us, and settled on us many hundred years ago: we onely ask our own; we onely ask that which the *Quaker* did not take of his Landlord, that which was or ought to have been abated in his Rent. If a Tenant be to pay an Annuity to a Lord as Free-Rent, or to an Hospital, or other Person, will his saying he doth not receive him or them, excuse him from paying the Money? Our Lord *JESUS* owns us for his Ministers, and the Laws of the Land own us, and declare we are the Persons to whom this Estate belongs; and what have the *Quakers* to do to dispute our Title, any more than they do their Lords Title to his Estate? The *Papists* pay us *Tythes* here in *England*, and we should pay *them* if we lived in *France*. If the State assign *Tythes* to a wrong Order of Men, it is their fault: But I am sure *Tythes* are not the Country-mans, he may not keep them, but must pay them as the Laws direct,

direct, and is innocent in so doing. Our Right to *Tythes* depends not at all upon Mens being willing or unwilling to come and hear us; and the *Quaker* is sadly mistaken, to think we come to sell them our Sermons, or that *Tythes* are a Price which is the *Quakers* own to give. The folly of all these Pretences was shewed before.

§. 51. As for *Going to Law* for *Tythes*, you have fully proved it lawful in the *Conference*, and the *Quaker* answers not one of your Arguments; so that till he reply to that, I will onely note, That it is much against our will, that we are forced to sue for our just Dues; and where a Legal Right is demanded, the Sin lies at the Defendants door, who will maintain an unjust Cause, and force the Plaintiff to use this uneasy and ungrateful Method. If it would not be too tedious, I could shew him Examples of Primitive Gospel-Ministers, upon the Churches Settlement, requiring Justice of the Emperours against the Sacrilegious Invaders of
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the Sacred Revenue : but it is time enough to produce Examples, when he hath answered your Reasons already produced.

§. 52. His Conclusion, *pag.* 363. admonisheth me, that 'tis time for me to conclude also, when I have made a Remark or two upon his pleasant *Epilogue*, which I dare say would afford you, as it did me, the just occasion for a smile, to observe what rare effects the happy conjunction of Ignorance and Folly have produced in your Adversary. You said, That *the Quakers were quite different from the Primitive Christians* : which he thinks to avoid, by calling it "*an old overworn Objection* : And truly, as an Objection, it is as old as the *Quakers* first appearance in the World ; but the Answer to it, will be an unheard of Novelty. And indeed the *Quakers* may be ashamed to let the Objection grow old and over-worn, before they have either confessed the Truth, or made some satisfactory Reply thereunto. But the merriest passage

sage is, that T.E. who knows nothing of Ecclesiastical History and Antiquity, and is a perfect Stranger to the Judgment and Practice of the *Primitive Christians*, having scarce heard of the Names of the most Eminent *Fathers*, as he hath abundantly manifested in this Book; that he should challenge the poor ignorant *Priests*, and attempt to threaten you into silence, by daring you to dispute on this Question, — *Risum tenentis Amici?* Doubtless, if T. E. (without going down to the *Philistins* of Rome) should of a sudden become able to dispute well about the *Doctrine*, and *Discipline*, and *Rights* of the *Primitive Church*, it would be the most famous Instance of *immediately inspired Teaching* that this Age ever saw: And if he can prove that these *Ancient Christians* had no *distinct Order of Men* to *Officiate in Divine things*, no *Sacrament of the Lords Supper*, no *Baptism with Water*, no *Catechizing*, no *Oblations at the Altar*, no *separate Places for*

R *Worship,*

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Worship, and Set Forms for Sacred Administrations, no Festival and Fasting Days, no Kneeling at Prayers, no singing of Praises, nor answering of Amen, &c. he hath some rare Revelations sure about those Times, and is able to confute *S. Ignatius, Justin Martyr, Irenæus, Tertullian, Cyprian, Origen*, and the rest of those *Eldest Fathers*, in Matters done in their own time: A very grand Undertaking! which none would have boasted of, but *T. E.* and none but an undiscerning *Quaker* can be persuaded it is possible to be effected. And now, finally, he would gladly render you as odious, as he hath made himself ridiculous; by collecting out of your whole Book all the just Titles you have bestowed upon their Fancies and enormous Errors: but since you have never used any of these *Epithets*, without proving in the same place there was good reason for it, I cannot think they need any excuse: nor was it possible for you to express a sufficient detestation of their mischievous

chievous Opinions & Practices in any gentler Phrases : *Crudelem medicum intemperans aeger facit*, Pub. Syr. If *T. E.* had been to act the part of *Porphyrie*, or *Julian the Apostate*, he might have made a notable Collection of the severe Expressions of our Lord *JESUS* concerning the *Scribes* and *Pharisees*, and made some Blasphemous Inferences from thence of the Temper of His Spirit : but no wise and good *Christian* will think it inconsistent with Evangelical Meekness, to give Crimes their Right Names, and to bestow upon evil Persons their deserved Characters. But as for *T. E.* I have made it evident, That he hath blasphemed God the Father, Son, and Holy-Ghost ; charg'd the Primitive Fathers, Councils, and Emperors abroad, the *Saxon* Kings and Parliaments at home, and all the Patrons of *Tythes* since the *Reformation*, with *Judaism*, *Poper*y, and *Idolatry* ; representing them all as a company of *ridiculous and unreasonable Men*. He hath reviled

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the *Laws*, and never spoken of the *Priests* but with all the contempt imaginable. And now he puts on his Vizor again, and would gladly go off from the Stage in all the Formalities of a *demure Quaker*, pretending he will not return *railing for railing*; and truly he had done it sufficiently before, to shew he neither fears God nor reverences Man, and to spoil all the Pretences he would make to Meekness at his plausible *Exit*.

And now (Dear Sir) I shall leave these Observations to your disposal, who are best able to judge whether they are material, and whether they will be useful, or no. If you (who have so well considered this Subject) think they may be serviceable to undeceive the unhappy and deluded Quakers, I will not oppose their Publication:

lication: If otherwise, provided
 you accept them as a Testimony
 of my Affection to you and the
 Truth you defend, I am well pleas-
 ed with their remaining Private:
 For all that I aim at, is to see
 these miserable and misguided
 Men rescued from their Heresie
 and Schism, and reduced into the
 ways of Truth and Soberness:
 And I am apt to hope, when they
 shall see how plainly the Igno-
 rance and Malice, the Hypocri-
 sie and Mistakes of this their
 bold Champion are detected,
 they will begin to perceive, that
 their Principles are not to be de-
 fended, no not by the most Poli-
 tick Equivocation and Sophi-
 stry; and therefore they ought to
 be deserted by all that do not love
 to be deceived: For their Delu-
 sion

*fion is sincerely lamented, and
their Conversion will be hearti-
ly congratulated by*

(SIR)

Your affectionate Brother,
and unfeigned Friend.

E R R A T A.

PAge 10. line 14. dele to be. p. 26. l. 22. r.
Tythes of them. p. 28. l. 15. r. being a just.
p. 29. l. 13. r. ~~Admiral~~ p. 45. marg. l. 4. r. Tobit
i. 7. p. 55. l. 9. r. in the Word. p. 79. l. 23. r. may add.
p. 86. marg. l. 5. r. Binius Tom. i. p. 367. p. 97. l. 8.
r. Guthrun. p. 128. l. 17. r. calls them. p. 130. l. 22.
r. of Lyons. p. 135. l. 7. r. in all their. p. 138. l. 5.
r. not see then. p. 161. l. 5. dele as. p. 203. l. 26.
r. payments. p. 241. l. 17. r. Rites of the.

E R R A T A.

PAge 10. line 14. dele *to be.* p. 26. l. 22. r.
Tythes of them. p. 28. l. 15. r. *being a just.*
p. 29. l. 13. r. *Διδάτωρ.* p. 45. marg. l. 4. r. *Tobit*
i. 7. p. 55. l. 9. r. *in the Word.* p. 79. l. 23. r. *may add.*
p. 86. marg. l. 5. r. *Binius Tom.* i. p. 367. p. 97. l. 8.
r. *Guthrum.* p. 128. l. 17. r. *calls them.* p. 130. l. 22.
r. *of Lyons.* p. 135. l. 7. r. *in all their.* p. 138. l. 5.
r. *not see then.* p. 161. l. 5. dele *as.* p. 203. l. 26.
r. *payments.* p. 241. l. 17. r. *Rites of the.*

E R R A T A.

PAge 55. line 9. read *Word*. p. 79. l. 24. r.
may add. p. 82. l. 16. dele *to*. p. 89. l. 16.
r. *Family*. p. 99. l. 11. r. *solemnly*.
